

**Application No: 21/00472/FULL Full Application**

**Site:** Land Adjacent 40, Whartons Lane, Ashurst, SO40 7EF

**Proposal:** 62no. dwellings; access; associated parking; public open space; landscaping; associated works

**Applicant:** Vivid Homes, Vivid Homes

**Case Officer:** Natalie Walter

**Parish:** ASHURST AND COLBURY

**1. REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish Council view  
Significant local interest.

**2. DEVELOPMENT PLAN DESIGNATION**

Site Allocation  
Tree Preservation Order

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

SP22 Land at Whartons Lane, Ashurst  
 SP4 Spatial strategy  
 SP5 Nature conservation sites of international importance  
 SP6 The natural environment  
 SP7 Landscape character  
 SP15 Tranquillity  
 SP16 The historic and built environment  
 SP17 Local distinctiveness  
 SP19 New residential development in the National Park  
 DP2 General development principles  
 DP8 Safeguarding and improving water resources  
 DP10 Open space  
 DP12 Flood risk  
 DP18 Design principles

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Ashurst and Colbury Village Design Statement  
Design Guide SPD

**5. NATIONAL PLANNING POLICY FRAMEWORK**

Sec 5 - Delivering a sufficient supply of homes  
 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 on this application for the reasons summarised below:

- Safety - traffic, parking causing impeded visibility or blocking access roads, lack of footpaths to all dwellings, unlit access roads and parking bays.
- Traffic & parking - inadequate parking provision, impact of increased traffic locally.
- Sustainability - some solar panels proposed, but no mention of consideration of other initiatives including communal heating systems such as ground source pumps. BNG mitigation not proposed on site or locally.
- Design & layout - lacks local distinctiveness, cramped layout of dwellings due to site constraints.
- Flooding - existing issue locally.

Previous recommendations (20 July 2021 and 30 November 2021): refusal for the following reasons (summarised):

- Inaccurate supporting data.
- Lack of public engagement.
- Dwellings out of character with village.
- Visual impact.
- Overdevelopment.
- Increase in surface water and flooding.
- Traffic generation.
- Poor car parking provision.
- Loss of wildlife.
- Lighting impacts.
- Lack of sustainability features.
- Highway safety concerns.
- Maintenance of green spaces needs to be robust and responsive.

The detailed comments provided for each consultation are available to view on the Authority's website.

## **8. CONSULTEES**

- 8.1 Building Design & Conservation Area Officer: Support subject to conditions to secure appropriate materials, sustainability features and recording of the non-designated heritage asset.
- 8.2 Planning Policy Officer: Support. The proposals are compliant with the key requirements of Local Plan Policy SP22.

- 8.3 Landscape Officer: Support subject to conditions to secure detailed paving and planting designs and materials used; control of domestic boundary treatment; and future domestic or communal external lighting.
- 8.4 Archaeologist: No objection subject to condition for recording of historic cistern.
- 8.5 National Park Access Ranger: Comments: Welcomes the natural play elements of the green space; would like to see a road crossing between the new development and the recreation ground; comments on the Travel Plan targets and pedestrian and cycle access to the school; and would like to work with the Travel Plan Co-ordinator to ensure links to sustainable transport options.
- 8.6 Highway Authority (HCC): No objection subject to conditions to secure Construction Method Statement and details of means of access; and securing of obligations for pedestrian infrastructure improvements and provision of a full Travel Plan.
- 8.7 Natural England: Comments awaited. Previous nutrient budget calculation concurred with. Details of proposed mitigation of nutrients required.
- 8.8 Tree Officer: Support subject to conditions to secure tree protection.
- 8.9 Countryside Services (HCC): No objection. Public rights of way and countryside sites are unaffected by the proposals.
- 8.10 Housing Development NFDC: Comment: Welcome overall approach to affordable housing and proposed tenure mix. Local connection cascade would apply to this proposal.
- 8.11 Hampshire County Council Flood and Water Management: No objection subject to conditions to secure details of drainage strategy; investigation of existing headwall outflows; and details of maintenance of SUDS.
- 8.12 Southern Water: Comment: able to facilitate foul sewerage disposal to the proposed development and a water supply service.
- 8.13 Environment Agency: No comment. The application falls outside of the Agency's External Consultation Checklist so there is no comment to make.
- 8.14 Ecologist: Support subject to securing appropriate mitigation and compensation.
- 8.15 Hampshire County Council Education: The anticipated pupil yield

from the development can be accommodated within the existing accommodation at Foxhills Infant and Junior and Hounslow schools and therefore no educational contribution will be sought.

- 8.16 Esso Petroleum Company Ltd: No objections to the proposals provided their "Special Requirements for Safe Working" and the covenants contained in the Deed of Grant are adhered to.

## **9. REPRESENTATIONS**

- 9.1 258 representations received in total from three public consultations.

- 9.2 246 objections on the following grounds (summarised):

- Traffic generation.
- Concern about traffic data used.
- Insufficient parking on site (including visitor parking) and potential impacts.
- Concern about road safety and crossings.
- Travel plan measures will not be effective.
- Lack of places at infant school.
- Green field site should be preserved.
- Design and layout not in keeping with Ashurst village.
- Excessive number of dwellings proposed.
- Affordable housing not pepper-potted.
- Inappropriate dwelling mix.
- Lack of sustainability features.
- Lack of community benefit from the development.
- Increase risk of flooding in the area.
- Concern about on-site drainage.
- Light pollution.
- Air pollution from traffic.
- Increased footfall in park opposite.
- Lack of infrastructure to support 62 dwellings.
- Destruction of wildlife and habitats.
- Lack of ecology surveys.
- Impact on St Joseph's retreat centre.
- Loss of privacy to Whartons Close and 40 Whartons Lane.
- Lack of suitability for disabled persons.
- Need to improve facilities for walking and cycling to Foxhills School.
- Impact on Esso pipeline.
- Increase in noise.
- Concern about fly-tipping and increase in pets.
- Precedent in National Park.
- Lack of consultation of general public.
- Inaccurate references in supporting documents.

9.3 Six representations of comment (summarised):

- Recognise that this is an allocated site.
- Proposal appears to be generally in line with Policy SP22 with regard to density and 50% affordable housing provision.
- Affordable housing statement inaccurate.
- Lack of capacity in road network.
- Unimaginative plans.
- Information on nutrient offsetting needed.
- Lack of consideration to ecology and biodiversity matters.

9.4 Six representations in support (summarised):

- Excellent space to use.
- Will meet housing need.
- Will provide housing for service workers.
- Will provide housing for children of current villagers.
- Suggest pedestrian access to Foxhills School.
- People could walk to and from the school to reduce traffic.

## 10. RELEVANT HISTORY

- 10.1 Application for screening opinion under Town and Country Planning (Environmental Impact Assessment) Regulations 2017 for up to 72 hours and apartments (19/00728) determined EIA required on 28 October 2019.
- 10.2 Erection of a wooden horse shelter (NFDC/84/27252) approved on 15 August 1984.

## 11. ASSESSMENT

### SUMMARY

This is a full planning application for the adopted Local Plan site allocation on land at Whartons Lane in Ashurst (Policy SP22). It is accompanied by a large number of supporting documents.

Submitted in May last year, the application has been the subject of extensive discussions and negotiations with the applicant and statutory consultees, both prior to and following submission. The principle of the proposed development has been established through the site specific allocation in the Authority's adopted Local Plan (Policy SP22).

This report sets out the relevant planning policies, the responses from consultees and interested third parties and a detailed assessment of all the relevant issues. There is support from the majority of statutory consultees. Others have provided comments. There remains strong local objection, in particular to the principle

of development and in relation to transportation impacts and flood risk.

The report concludes that the application meets national policy tests and satisfies the requirements of Policy SP22. The balance between built development, open space and landscaping is considered to have been successfully reached. Hampshire County Council has confirmed that traffic generated would be accommodated within the highway network and the controlled surface water discharge rate would ensure no increase in flood risk to or from the development.

For these reasons, as elaborated upon in this report, the officer recommendation is that planning permission should be granted subject to conditions and the prior completion of a Section 106 legal agreement.

### **Application Site**

- 11.1 The 2.7 hectare application site is located to the east of Whartons Lane within the village of Ashurst. Residential development lies to the north west and a recreation ground and residential development are located opposite. The eastern and southern boundaries are well-screened by woodland. The site is currently used for grazing and there is an existing access located at the north-western end of the frontage with Whartons Lane.
- 11.2 The trees along the Whartons Lane frontage are protected by a group Tree Preservation Order (TPO) and there are additional group and woodland TPOs along the eastern boundaries of the site.
- 11.3 The site is located within Environment Agency Flood Zone 1 (low probability of fluvial flooding). A small part of the site (circa 2%) close to the frontage with Whartons Lane is at medium risk of surface water flooding, as reflected in the Environment Agency's mapping and the Strategic Flood Risk Assessment that informed the Local Plan site allocation.
- 11.4 The site contains an area of priority habitat in the eastern part of the site. Fletchwood Meadows Site of Special Scientific Interest (SSSI) lies 0.5km to the north west. There is a Site of Importance of Nature Conservation (Foxhills School Meadow) to the north of the site. The site lies within 5.6km of the Solent European designated sites.

### **Planning Background and Principle of Development**

- 11.5 Land at Whartons Lane, Ashurst is allocated in Policy SP22 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019) for "around 60 dwellings." This allocation was found "sound" following four years of public consultation, an

extensive evidence base and independent examination by Government-appointed Planning Inspectors.

- 11.6 The Planning Inspectors supported the allocation of land at Whartons Lane for development in their report (July 2019):

*"The site is well contained visually by significant areas of woodland to the east and south. It would have a limited impact on the wider landscape and would not significantly affect the overall character and appearance of Ashurst."* – paragraph 103

*"The site is well related to local services and facilities and evidence available confirms that there would not be undue pressure on local services and infrastructure including schools. The site can be accessed safely and the junction of the A35 with Whartons Lane will continue to operate well within capacity."* – paragraph 105

*"The proposed housing site allocation at Whartons Lane, Ashurst is justified, effective and consistent with national policy."* – paragraph 107

The principle of residential development on the site has therefore been legally established through the plan-making process.

### **Proposed Development**

- 11.7 The application is for 62 dwellings with a vehicular access point to the development from Whartons Lane circa mid-way along the frontage. Pedestrian access points would also be located to the north close to the existing vehicular gated access, which would be closed.

- 11.8 The development includes a central area of public open space and a perimeter pathway encircling the built form of development. The proposed layout has taken into account the protected trees around the site and incorporates landscaping including strengthened boundary treatment and features at the entrance to the site, attenuation basins planted with wetland and an appropriate lighting strategy. Sustainability features and ecological enhancements are proposed.

- 11.9 All dwellings would have an internal habitable floor area of under 100 square metres and the following dwelling mix is proposed:

- 6 one-bed units;
- 16 two-bed units; and
- 40 three-bed units.

50% of the dwellings would be affordable and the proposed tenure split is 71% affordable rent and 29% shared ownership.

- 11.10 The application includes 116 car parking spaces for residents and four visitor spaces. Cycle parking is proposed within garden sheds (2 spaces per dwelling; total of 96 spaces) and communal stores (for the flats; 14 spaces).
- 11.11 The proposal has evolved through the application process with two further consultation periods following the initial consultation. The first design amendments included a revised layout to incorporate a larger area of open space and to avoid a cul-de-sac arrangement. The further design amendments included amended detailing of dwellings, details of materials, amended landscaping and additional information on sustainability and biodiversity enhancements.
- 11.12 The main consideration is whether the proposals comply with Policy SP22 of the adopted Local Plan (Land at Whartons Lane). Further key issues for consideration are:
- The design of the proposed development;
  - Landscape impacts;
  - Flood risk and drainage;
  - Ecological impacts;
  - Impacts on the amenities of adjoining properties;
  - Highway and access considerations;
  - Heritage impacts; and
  - Other material planning considerations.

### **Policy SP22 (Land at Whartons Lane)**

#### **Quantum of Development**

- 11.13 Policy SP22 allocates land at Whartons Lane for around 60 residential dwellings to contribute towards meeting the identified housing need arising from within the National Park. At 62 dwellings, the proposed quantum of development is consistent with Policy SP22. The quantum is a reduction on initial pre-application proposals for 70 dwellings. The site area amounts to 2.7 hectares and therefore the gross development density is 23 dwellings per hectare. The development density is higher than surrounding areas but is nonetheless a lower density development. With developable land being a finite resource, allied to the identified need for smaller properties, subject to appropriate design and landscaping, the proposed quantum is acceptable and in line with the quantum tested and approved through the Local Plan process. The proposal will optimise the use of land to meet local housing need whilst providing an appropriate density in the National Park context.
- 11.14 Policy SP22 sets out that detailed proposals for the site that meet site specific requirements a) to g) will be permitted. These site specific requirements are considered below.



**a) the provision of on-site affordable housing for local people in housing need in accordance with the target of 50% affordable housing**

- 11.15 The proposed development will provide 31 affordable dwellings on the site which will comprise 50% of the total dwellings. The level of on-site affordable housing is policy compliant.
- 11.16 In terms of the proposed tenure mix of the affordable housing, 22 units will be affordable rent tenure and nine units will be shared ownership. The proposed tenure mix of 71% affordable rent and 29% shared ownership broadly reflects the policy starting point set out in Policy SP27 of the Local Plan (which sets a target of 75% social/ affordable rent and 25% shared ownership). Ideally affordable housing would be "pepper potted" throughout the development but it is also recognised that there is a need to create specific areas for management purposes, which is reflected in the plans.
- 11.17 The views of the statutory Housing Authority (NFDC) have been sought. The latest Housing Register data continues to demonstrate the need for a range of dwelling sizes for affordable housing for rent, in particular, smaller units. The latest figures from the Help to Buy agent indicate continued demand for shared ownership in the area, in particular, for two and three-bed dwellings. The overall approach to affordable housing and the proposed tenure mix is welcomed by the Housing Authority. Whilst it is commented that four-bed homes for rent are not included, four-bed units make up a very small proportion of the identified need in the New Forest and it would be difficult for such a property to meet the 100 square metre floor space limit within New Forest National Park policy.
- 11.18 Ashurst and Colbury is designated as a local connections area and a "rural parish" by New Forest District Council and therefore the on-site affordable housing will be allocated to people in housing need from the local area. The affordable housing would be secured through relevant conditions and a S106 legal agreement which would ensure that the occupancy of dwellings is confined to persons in local housing need in perpetuity in accordance with the local connections criteria in Annex 3 of the adopted Local Plan.

**b) all of the dwellings on the site will be limited to a maximum total internal habitable floor area of 100 square metres**

- 11.19 All of the proposed dwellings would have a total internal habitable floor area of 100 square metres or less in compliance with criterion (b) of Policy SP22. It is reasonable and necessary to remove permitted development rights to ensure that permitted development rights are not used to undermine the aims of

adopted policies relating to dwelling size.

11.20 The dwelling mix would comprise:

- 6 x 1-bed units;
- 16 x 2-bed units; and
- 38 x 3-bed units.

There is an identified need (through the Local Plan evidence base) for smaller dwellings within the New Forest National Park and the proposed dwelling mix will reflect local needs in accordance with paragraph 78 of the NPPF. The proposal will also contribute to the objective of the NPPF to create mixed and balanced communities.

**c) the site must be developed in a comprehensive manner**

11.21 The application includes residential and open space elements as part of a single scheme. The site will be developed in a comprehensive manner in line with criterion c) of Policy SP22. It will also optimise the site to accommodate and sustain an appropriate amount and mix of development (including public open space).

**d) measures must be put in place to protect the trees subject to Tree Preservation Orders that border the site**

11.22 The site is bordered by trees protected by TPOs. It is proposed to remove a single Oak tree (T6U) which is located on the Whartons Lane frontage adjacent to the proposed site entrance. The Authority's Senior Tree Officer notes that this tree has significant deadwood, dieback and is clearly infected with decay fungus at its base. It will need to be removed on safety grounds regardless of any development.

11.23 The amended layout has taken into account any potential future pressure on the trees from shading, leaves and falling debris and there are no objections to the application on tree grounds, subject to conditions.

**e) contributions will be required to enhance the adjacent Whartons Lane Recreation Ground located opposite the site**

11.24 There is currently a deficit of public open space provision in the parish of Ashurst and Colbury when considered against the Local Plan standard of 3.5 hectares of open space per 1,000 population (Policy DP10). Currently, there is no public right of access to (or public open space provision within) the application site. The amended open space area calculation (March 2022) indicates an area of 0.185 hectares of new public open space in the centre of the site and an additional 0.9 hectares around the periphery of the site. The development will deliver additional public open space for

the area on a site where there is currently no public access. There is no policy requirement to require the open space requirement to be met on-site (however, in this case, it has been sought and included for place-making and design reasons). The development is delivering 0.185 hectares of public open space on site, this amounts to 36% of the policy requirement. A financial contribution is therefore sought (£116,649) to cover the remaining requirement (64%) which would be required towards open space recreation provision in the locality, such as Whartons Lane recreation ground. The level of contribution has been calculated in accordance with the adopted Development Standards Supplementary Planning Document and is based on dwelling size.

**f) development proposals must provide a connection to the nearest point of adequate capacity in the sewerage network, as advised by the service provider**

- 11.25 Ashurst is served by the Slowhill Copse waste water treatment works in Marchwood. Southern Water have been consulted on the application and state that they can facilitate foul sewerage disposal to service the proposed development. They also indicate that a water supply to service the development can be facilitated. There is therefore adequate capacity in the sewerage network in accordance with criterion f) of Policy SP22. A formal application to Southern Water for a connection to the public foul sewer and the water supply would be required which is outside of the planning process.

**g) a site-specific flood risk assessment will be required and measures put in place to address any groundwater or surface water flooding issues identified.**

- 11.26 The New Forest Strategic Flood Risk Assessment that supported the Local Plan highlighted a localised flooding issue near the proposed road access. Criterion g) of Policy SP22 requires the submission of a site-specific flood risk assessment and measures to be put in place to address this.
- 11.27 The application submission includes a site-specific Flood Risk Assessment and Drainage Strategy, Drainage Investigation and Proposed Level and Drainage Design Plan. The flood risk assessment and drainage strategy concludes that the proposed development will not increase flood risk to or from the site. Further detail is set out in paragraph 11.37 below.
- 11.28 In summary, in relation to Policy SP22, the proposed development is assessed as complying with Policy SP22 subject to the imposition of relevant planning conditions.

## **Design**

- 11.29 A high standard of design is a key aspect of sustainable development. Policy DP18, national guidance and the adopted Design Guide advocate the highest levels of design in new development, ensuring it is contextually appropriate and would not harm the landscape setting, making it accessible and environmentally sustainable. These elements are now considered to be met in this scheme and are supported by the Authority's Senior Building Design and Conservation Officer.

### Layout

- 11.30 The layout has been amended from a previous "cul-de-sac" approach, which was not supported. The layout now offers a central area of open space which many dwellings would overlook and enjoy. The access road into the development would offer a glimpse of the open space on arrival and the balance of dwellings either side of the entrance with the mature treed boundary to Whartons Lane would provide a softening of the development from Whartons Lane. The proposed road is now sinuous and provides a loop around rather than a series of unconnected cul-de-sacs. The proposed layout, landscaping, trees and boundaries would create a sense of place for the development.

### Design Detailing and Materials

- 11.31 The detailed design of the proposed dwellings has also been altered to offer a more sympathetic New Forest design format. The use of timber porches, hanging tiles, locally sources bricks, natural slates and clay tiles are all supported. A number of elevations and floor plan designs have been adjusted to be simple cottages and chimneys have been introduced on other designs.

### Sustainability

- 11.32 The scheme has also been revised to reflect current expectations on sustainability. Electric vehicle charging points are now provided to each home or group of flats, in discrete but accessible locations. The use of slimline solar panels on southerly facing rooflines has been incorporated. Some dwellings have been rotated to within 30 degrees of south in order to benefit from this warmth and natural daylight, which would reduce the need for heating and artificial lighting. The windows and doors would be double glazed and the dwellings would be fully insulated in line with the latest Building Regulation requirements. These measures are supported.
- 11.33 Overall, the proposed design reflects a high quality of design, which incorporates sustainability measures to help future proof the homes and the choice of materials reflects quality traditional

and natural materials where possible in accordance with national and local guidance and Policies DP2 and DP18.

### **Landscape Impacts**

- 11.34 Policy SP7 of the adopted Local Plan sets out that development proposals will be permitted where they conserve and enhance the character of the New Forest's landscapes. The adopted Design Guide (January 2022) notes that new development offers an opportunity to reflect on what is special and unique about the New Forest and that high quality development includes landscape and green spaces in between buildings with landscape comprising a key aspect of identity and character of place.
- 11.35 The proposed development has taken the opportunity to provide a new high quality public open space central to the development. This would include a small play area. A gravel pathway would provide a "woodland walk" around the perimeter of the site. The landscaping of the scheme has evolved through the application process following the provision of detailed advice over a sustained period. The landscape strategy also includes retention of the boundary vegetation at the frontage with Whartons Lane and enhancements with infill planting. Two gateway trees and a formal hedge frame are proposed at the entrance to the development. Two attenuation basins planted with wetland are also proposed. The parking spaces would be "softened" by ornamental planting and appropriate boundary treatment. The hard and soft landscaping elements are supported by the Authority's Landscape Officer.
- 11.36 The Landscape Officer also supports the revised Lighting Strategy. This Lighting Strategy has sought to ensure that lighting is applied carefully and sensitively and that the potential for effects on sensitive ecology, the surrounding area and the National Park are limited or completely mitigated. The proposed development will therefore accord with Policies SP7 (Landscape character) and SP15 (Tranquility).

### **Flood Risk**

- 11.37 Flood risk considerations are a key local concern included in representations. This is reflected in the New Forest Strategic Flood Risk Assessment that supported the Local Plan and the Environment Agency's flood risk mapping, which highlight a localised issue with flooding near the proposed road access (affecting circa 2% of the site). Development must ensure that it does not exacerbate existing issues, but it also cannot be required to address pre-existing problems in the local area. The Flood Risk and Drainage Strategy and Drainage Design Plan set out that it is proposed to capture and convey runoff along the eastern boundary of the site via a swale directing runoff to an existing headwall outfall. Within the proposed parking areas,

tanked permeable pavements would capture, treat and attenuate runoff from the development and open pond features would provide attenuation volume. Flow control devices would limit runoff to no more than the existing green field runoff rates from the site. The drainage strategy is designed to accommodate a 1 in 100 year critical storm plus an allowance for climate change. The proposed drainage strategy would avoid any impact off site by capturing and attenuating runoff up to the design event with an allowance for climate change, with the controlled discharge rate ensuring no increase in flood risk to or from the development.

- 11.38 The Lead Local Flood Authority (LLFA), Hampshire County Council Flood and Water Management, has been consulted. The applicant has demonstrated that they can limit surface water runoff to greenfield rates and would provide benefit to the area for larger storm events. The LLFA consider that the drainage proposals are acceptable within the site boundary. Clarifications have been sought as there is a lack of clarity on where the existing headwalls are currently draining surface water runoff. The LLFA notes that the applicant will also need to demonstrate that the secure outfall (existing headwalls) will not drain surface water to any alternative route which could potentially increase surface water downstream and consider that this can be addressed by condition. Subject to conditions, the proposed development would accord with Policies SP22 e), DP8 and DP12.

## **Ecological Impacts**

### Impacts on Protected Species

- 11.39 The applicant has provided additional information since the submission of the application in June 2021 including the results of reptile survey work and proposed mitigation, the results of a dormouse survey, bat activity surveys and associated lighting mitigation strategy and a breeding bird survey. A summary of biodiversity net gain metrics has also been prepared.
- 11.40 The surveys have confirmed the likely absence of dormice. The majority of the site is unsuitable for reptiles. The most likely presence is on the periphery of the site which is to be retained and harm can be avoided by means of an avoidance and mitigation strategy, which can be secured by condition. Seven species of bats were recorded using the site in some way. In order to secure a dark corridor around the site, a lighting plan has been submitted. Lighting levels at the woodland edge and retained grassland area would be around 0.5 lux which would allow bat activity to continue. There is no objection to the development in relation to impacts on protected species.

### Impact on Priority Habitats

- 11.41 The proposed development would result in the loss of 1.35 hectares of lowland meadow. The loss is accepted as the site is allocated for development in the adopted statutory development plan for the National Park. Additionally, it is not possible to recreate this habitat around the site boundaries due to the high levels of nutrients present in the soils from previous land management and inputs from the surrounding woodland, as well as the need to provide a drainage solution for the site and in order to provide a viable layout. It is also material that under current management the habitat is considered to be in poor and declining quality. Policy SP6 provides policy coverage for such circumstances, stating that, where it is not possible to avoid or mitigate for the loss of biodiversity interests resulting from the development, appropriate compensation may be secured. This may include the provision of compensatory habitats elsewhere. The applicant is committed to compensation of the loss of lowland meadow, which would be secured through the S106 legal agreement.

### Recreational Impacts

- 11.42 Prior to mitigation, the Habitat Regulations Assessment of the Local Plan could not rule out the recreational impacts of any new residential and visitor accommodation throughout the National Park having a likely significant in combination effect on the New Forest SPA and SAC sites. Consequently, mitigation is required for all proposals of these types of development for their recreational impacts on these New Forest designated sites. In addition, development within 5.6km of the Solent coastal designations (which includes Ashurst) is required to address increased recreational impacts and there is an established strategic mitigation scheme in place (Bird Aware Solent). In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting planning permission would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of that site's conservation objectives. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the recreational impacts on the European sites, but that the adverse impacts would be avoided if the planning permission were to be conditional upon the approval of proposals for the mitigation of that impact in accordance with the Authority's adopted Mitigation Strategy (2020) and the established Bird Aware Solent mitigation scheme or mitigation to at least an equivalent effect. An appropriate condition would be attached to satisfy this requirement and this is supported by Natural England.

### Nutrient Impacts

- 11.43 Natural England have advised that there is uncertainty as to whether future housing 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 advice to local planning authorities along the Solent coast, the potential impacts from nitrates have been considered in assessing this application. The applicant has provided a nutrient budget which has been assessed. Natural England was satisfied with the methodology used to calculate the nutrient budget but stated that further information and details on proposed mitigation were needed to enable assessment that the development would be nutrient neutral. The applicant since provided details of the proposed mitigation scheme (in Eastleigh), which is in the appropriate sub-catchment as defined by Natural England's methodology on nitrate neutrality. This approach to off-setting has been adopted by local planning authorities across the Solent catchment. Following the Authority's initial assessment of this budget, Natural England's guidance has been updated. The applicant has submitted revised calculations and Natural England has been consulted further. An update will be provided at the committee meeting. Subject to securing appropriate mitigation in order to achieve a nutrient neutral scheme, the Authority's obligations as a 'competent authority' under the Conservation of Habitats and Species Regulations 2017 are met.

### Biodiversity Net Gain

- 11.44 Policy SP6 requires opportunities to enhance ecological assets to be maximised and the Environment Act received royal assent in November 2021 with biodiversity gain objectives and will become mandatory in 2023. The applicant has used the DEFRA 3.0 metric to assess the proposals. This metric provides a way of measuring and accounting for biodiversity losses and gains from development (this excludes priority habitats). It has been applied to the existing and proposed habitats on the site (excluding the lowland meadow area). The calculation shows a total net habitat change of 1.17 units which equates to a 14% positive net change. This would be secured by condition and means the required biodiversity net gain objectives would be delivered on-site as part of the development.

### **Impacts on the Amenities of Adjoining Properties**

- 11.45 The proposed development is adjoined by woodland areas to the south and east. In respect of the northern boundary, concern has been raised in representations in relation to the two-storey apartments (plots 14 and 16-21). Given the distance between the plots and the properties to the north (33.4 metres and 54.0 metres), the orientation and the intervening vegetation, there will be no significant impact on neighbouring amenity in accordance with Policy DP2.



## **Highway and Access Considerations**

- 11.46 The application submission includes a Transport Assessment, Travel Plan and Highways Technical Note. The impact on the local highway network is a key local concern. The applicant has provided additional information in response to requests from Highway Authority including junction capacity modelling (Whartons Lane/ A35 junction) and the impact on Hunters Hill. With the implementation of the proposed mitigation measures, the Highway Authority is satisfied that the proposed development would not cause severe impacts on the operation or safety of the local highway network and has no objection subject to conditions to secure a construction method statement and the detail of the access together with the securing of planning obligations for off-site highway works including the securing of pedestrian infrastructure improvements (including that of associated uncontrolled crossing facilities on Whartons Lane to the west of the proposed access and the additional dropped kerb crossing on Whartons Lane near the junction of Ashdene Road) and the provision of a full travel plan and associated approval and monitoring fees and bond through a legal agreement.
- 11.47 The proposed level of car parking (116 spaces) would accord with the adopted standards contained in Annex 2 of the Local Plan (one space per one-bedroom unit and two spaces per two-three-bedroom unit). The areas of car parking would include permeable paving, landscaping and appropriate boundary treatments. There is no specific policy requirement for visitor parking. However, four spaces will be provided.
- 11.48 Cycle parking provision is proposed within garden sheds (two spaces per dwelling; total of 96 spaces) or communal stores (for the flats; 14 spaces) and accords with adopted standards in Annex 2 of the Local Plan.

## **Heritage Considerations**

- 11.49 The site is not within a conservation area and there are no nationally listed buildings or structures on or close to the site. The application submission includes an Archaeological Desk-Based Assessment, a Geophysical Survey Report and a Heritage Statement. There is an absence of archaeological remains on the site. However, the site survey indicates a brick well within the southern central area of the site and it has been brought to the Authority's attention that there may be an existing Victorian built "bell-shaped" brick cistern rather than a well in this location. This sub-terranean structure is considered to be a non-designated heritage asset. Paragraph 203 of the NPPF requires the effect of an application on the significance of a non-designated heritage asset to be taken into account in determining a planning application. In weighing applications, a balanced judgement will be required having regard to the scale of any harm/ loss and the

significance of the heritage asset. The Authority's Archaeologist and Senior Building Design and Conservation Officer consider that the asset should be fully recorded. The structure appears to be located at the end of the garden for plot 47. Subject to a condition requiring survey and subsequent appropriate preservation (preservation by record or preservation in situ) with any works required to make it safe, the proposed development would accord with Policy SP16.

### **Other**

- 11.50 Hampshire County Council, the local education authority, has confirmed that a 62-home development would be expected to yield about three pupils per year group. Hampshire County Council advise that, although the catchment schools (Foxhills Infant and Junior and Hounslow) are full, this is due to out of catchment recruitment. They therefore advise that the anticipated yield from the site can be accommodated within the existing accommodation at these schools and no educational contribution is sought.
- 11.51 A fuel pipeline runs along Whartons Lane. In respect of the potential impact of the proposed development on the pipeline, there is a 3 metre easement around the pipeline. No buildings are proposed within this easement, however, the proposed access works may require checking/ supervision. There is no objection from Esso Petroleum Company Ltd provided that their requirements for safe working are adhered to and the proposal would be added to their known works record for monitoring. The applicant has been made aware of the position.
- 11.52 In accordance with the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, the applicant's written agreement has been received in relation to the proposed pre-commencement conditions.

### **Section 106 Legal Agreement**

- 11.53 The following developer obligations and contributions, index linked where appropriate, will need to be secured by a Section 106 legal agreement. These have been assessed as being necessary, directly related to the development and fairly and reasonably related in scale and kind to the development:
- The provision of 50% affordable housing (including a local connection to ensure affordable housing meets needs arising in the local area; rents are capped in accordance with the definition of affordable housing set out in national policy; and the resale of shared ownership properties ensures that they remain available as affordable housing in perpetuity).
  - Contributions to Whartons Lane Recreation Ground: £116,649.

- Ecological mitigation for the New Forest Special Protection Areas, Special Areas of Conservation and Ramsar sites: £226,982.
- Ecological mitigation for the Solent designated European Sites: £40,748.
- Compensation for the loss of priority habitat.
- Incorporation of a management company to maintain the common parts, including open space, play area, unadopted roads and SUDS.
- Transport obligations for offsite highway works, including:
- Pedestrian infrastructure improvements including that of associated uncontrolled crossing facilities on Whartons Lane to the West of the proposed access and the additional dropped kerb crossing on Wharton's Lane near the junction of Ashdene Road, as shown on drawing no. 2020 6242 009 Rev B.
- Provision of a Full Travel Plan and associated approval and monitoring fees and bond.
- Monitoring and management fee.

### **Conclusion**

11.54 In conclusion, this is an important housing site allocation in the Authority's adopted Local Plan that will make an important contribution towards meeting identified local housing needs in the National Park. The proposed development would provide 62 dwellings, open space and associated landscaping in accordance with the Local Plan policy requirements. The balance between built development, open space and landscaping is considered to have been successfully reached. Hampshire Country Council has confirmed that traffic generated would be accommodated within the highway network and the controlled surface water discharge rate would ensure no increase in flood risk to or from the development. It is therefore recommended that planning permission should be granted subject to conditions and the prior completion of a Section 106 legal agreement.

## **12. RECOMMENDATION**

Approve Conditionally (Legal Agreement)

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:

(Layouts)

ACL.01 Rev G, AHL.01 Rev F, BML.01 Rev F, CSE01 Rev C,  
CSL.01 Rev J, DML.01 Rev G, LP.01 Rev B, RSL.01 Rev F,  
OSP01 REV B,

(Supporting)

DD394L01 Rev E, DD394L02 Rev C, D1916-200 Rev C, 13848  
S1, SSE3000854-LD-001 Rev B,

(Ancillary)

BCS.01.pe Rev A, GAR.01.pe Rev A, SH.01.pe Rev A,

(Plot Drawings)

P.8-9.e Rev C, P.8-9.p Rev D, P.11-12.e Rev C, P.11-12.p Rev  
C, P.13-15.e Rev D, P.13-15.p Rev D, P.25-26.e Rev C,  
P.25-26.p Rev C, P.30-31.e Rev C, P.30-31.p Rev D, P.32-33.e  
Rev B, P.32-33.p Rev B, P.34-35.e Rev B, P.34-35.p Rev B,  
P.36\_39.pe Rev C, P.37-38.e Rev C, P.37-38.p Rev D, P.40.pe  
Rev C, P.61-62.e Rev B, P.61-62.p Rev B,

(House Types)

HT.2BH(2blk)-A.e Rev D, HT.2BH(2blk)-AB.p Rev D,  
HT.2BH(2blk)-B.e Rev C, HT.2BH(2blk)-C.e Rev D,  
HT.2BH(2blk)-C.p Rev D, HT.3BA-1B(2blk).e Rev C,  
HT.3BA-1B(2blk).p Rev D, HT.3BA-1C(2blk).e Rev D,  
HT.3BA-1C(2blk).p Rev D, HT.3BA-2A(2blk).e Rev D,  
HT.3BA-2A(2blk).p Rev D, HT.3BC-1A.e Rev C, HT.3BC-1B.e  
Rev C, HT.3BC-1C.e Rev B, HT.3BC-1A.p Rev E,  
HT.3BC-1B.p Rev E, HT.3BC-1BH.e Rev C, HT.3BC-1BH.p Rev  
D, HT.3BD.e Rev E, HT.3BD.p Rev D, HT.3BD-H.e Rev D,  
HT.3BD-H.p Rev B, HT.2BH(2blk)-D.e Rev A, HT.2BH(2blk)-D.p  
Rev A, HT.3BA-2B(2blk).e Rev A, HT.3BA-2B(2blk).p Rev A,

(Flats)

P.16-21.e1 Rev C, P.16-21.e2 Rev C, P.16-21.p1 Rev C,  
P.16-21.p2 Rev C, P.41-46.e1 Rev C, P.41-46.e2 Rev C,  
P.41-46.p1 Rev C, P.41-46.p2 Rev C.

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

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

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

- 4 50% of dwellings to be provided shall comprise affordable dwellings (as defined in the National Planning Policy Framework)

Reason: To meet identified local housing need and to accord with Policy SP22 of the New Forest National Park Local Plan 2016-36 (August 2019)

- 5 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, garage or other outbuilding otherwise approved by Class E of Part 1 of Schedule 2 to the Order, or means of enclosure otherwise approved by Class A of Part 2 of Schedule 2 to the Order shall be erected or carried out without express planning permission first having been granted.

Reason: To ensure the dwellings remain of a size which is appropriate to its location within the countryside, to ensure an acceptable appearance of the development and to comply with Policies DP2, SP17, DP35 and DP36 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 6 The trees/hedges on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the measures set out in the submitted arboricultural statement.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area, in accordance with Policies DP2 and SP6 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 7 No development, demolition or site clearance shall take place until a plan showing:

Service routes, including the position of soakaways; and  
Location of site compound and mixing areas

are submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with these approved details.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area, in accordance with Policies DP2 and SP6 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 8 Prior to commencement of works (including site clearance and any other preparatory works) the scheme for the protection of trees in accordance with the submitted Sapling Arboriculture Ltd, Arboricultural Impact Appraisal and Method Statement ref J1312 dated October 2021 shall be implemented and at least 3 working days' notice shall be given to the Local Planning Authority that this has been installed.

Note: Your attention is drawn to the requirements of a pre-commencement site meeting as per Appendix 1 – Method statement / timing of operations of the above report.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area and in accordance with Policies DP2 and SP6 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 9 Landscaping of the site shall be implemented solely in accordance with drawing nos: DD394L01 Rev E, DD394L02 Rev C and BML.01 Rev F. Notwithstanding the approval of those plans, within three months of the date of this decision, precise details of the soft landscaping, the areas for hard surfacing and the materials to be used, including details of the play area, shall be submitted to and approved in writing by the National Park Authority.

No development shall take place unless these further 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).

- 10 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).

- 11 Lighting of the site shall be implemented solely in accordance with drawing no: SSE3000854-LD-001 Rev B and the Lighting Strategy hereby approved.

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

- 12 No development shall take place, (including any works of demolition), until a Construction Method Statement has been submitted to, and approved in writing by, the National Park Authority.

The approved statement shall include scaled drawings illustrating the provision for –

- 1) The parking of site operatives and visitors' vehicles.
- 2) Loading and unloading of plant and materials.
- 3) Management of construction traffic and access routes.
- 4) Storage of plant and materials used in constructing the development.
- 5) Wheel washing facilities.

Reason: In the interests of highway safety and in accordance with Policy DP2 of the New Forest National Park Local Plan 2016-2036 (August 2019).

- 13 Before the development is brought into use, the means of vehicular access to the site and associated works shall be constructed in accordance with the approved (drawing no: 2020-6242-002 Rev E) and no structure, erection or planting exceeding 1.0m in height shall thereafter be placed within the visibility splays shown on the approved plans.

Reason: To ensure a suitable access and layout in the interests of highway safety and in accordance with Policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 14 The development hereby permitted shall not be occupied until the arrangements for car and cycle parking and turning within its curtilage have been implemented.

These areas shall be kept available for their intended purposes at all times.

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

- 15 Prior to development above slab level, exact details of the proposed sustainability measures, including the provision of facilities to enable the charging of electric vehicles, shall be 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: In the interests of achieving a sustainable form of development in accordance with Policies DP18 and SP11 of the New Forest National Park Local Plan 2016-36 (August 2019) and national planning policies.

- 16 Prior to the commencement of development (including site and scrub clearance), a Biodiversity Enhancement and Mitigation Plan (BEMP) shall be submitted to and approved in writing by the National Park Authority. The BEMP shall include measures for ecological mitigation and enhancement (including timescales for implementing these measures), shall be based on the recommendations set out in the ecological appraisal (January 2022) and associated surveys and plans approved as part of this planning application. It shall also include the provision of built in features for bat roosting and bird nesting, particularly swifts, at a rate of one per dwelling, placed in suitable groups and final and up-to-date details of reptile mitigation.

This Plan must set out the measures that will be undertaken to ensure that a minimum of 10% increase in biodiversity will be achieved and must cover a minimum period of 30 years.

Development shall be carried out in full accordance with the approved plan, unless otherwise agreed in writing by the National Park Authority.

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

- 17 Prior to the commencement of development ecological mitigation for the Solent and New Forest Special Protection Areas, Special Areas of Conservation and Ramsar sites shall be submitted to and approved in writing by the New Forest National Park Authority. The ecological mitigation may take the form of a



planning obligation which secures financial contributions in accordance with the Authority's Habitat Mitigation Scheme and the Solent (SRMP) Explanatory Note.

Reason: To safeguard sites of international ecological importance in accordance with Policies SP5 and SP6 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019), the Authority's Habitat Mitigation Scheme and the SRMP.

18 The development hereby permitted shall not be occupied until:

a) A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority;

b) A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved in writing by, the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European sites by the development when fully occupied and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European sites, having regard to the conservation objectives for those sites; and

c) All measures forming part of that mitigation package have been provided to the Local Planning Authority.

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

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. To ensure that the proposal may proceed as sustainable development, there is a duty upon the Local Planning Authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Authority has had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017 and Policy SP5 of the adopted New Forest National Park Local Plan (2016 - 2036).

19 The drainage system shall be constructed in accordance with the Flood Risk Assessment & Drainage Strategy ref: D1916/FRA2.0. Surface water discharge to the existing headwall shall be limited to 15.0 l/s. Any changes to the approved documentation must be

submitted to and approved in writing by Local Planning Authority in consultation with the Lead Local Flood Authority. Any revised details submitted for approval must include a technical summary highlighting any changes, updated detailed drainage drawings and detailed drainage calculations.

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off site resulting from the proposed development.

- 20 Prior to commencement of development, the condition of the existing headwall outfalls, which will take surface water from the development site, should be investigated and reported to the National Park Authority. If necessary, improvement to its condition as reparation, remediation, restitution and replacement should be undertaken before any connection is made.

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off site resulting from the proposed development.

- 21 Details for the long-term maintenance arrangements for the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings. The submitted details shall include:

- a. Maintenance schedules for each drainage feature type and ownership.
- b. Details of protection measures.

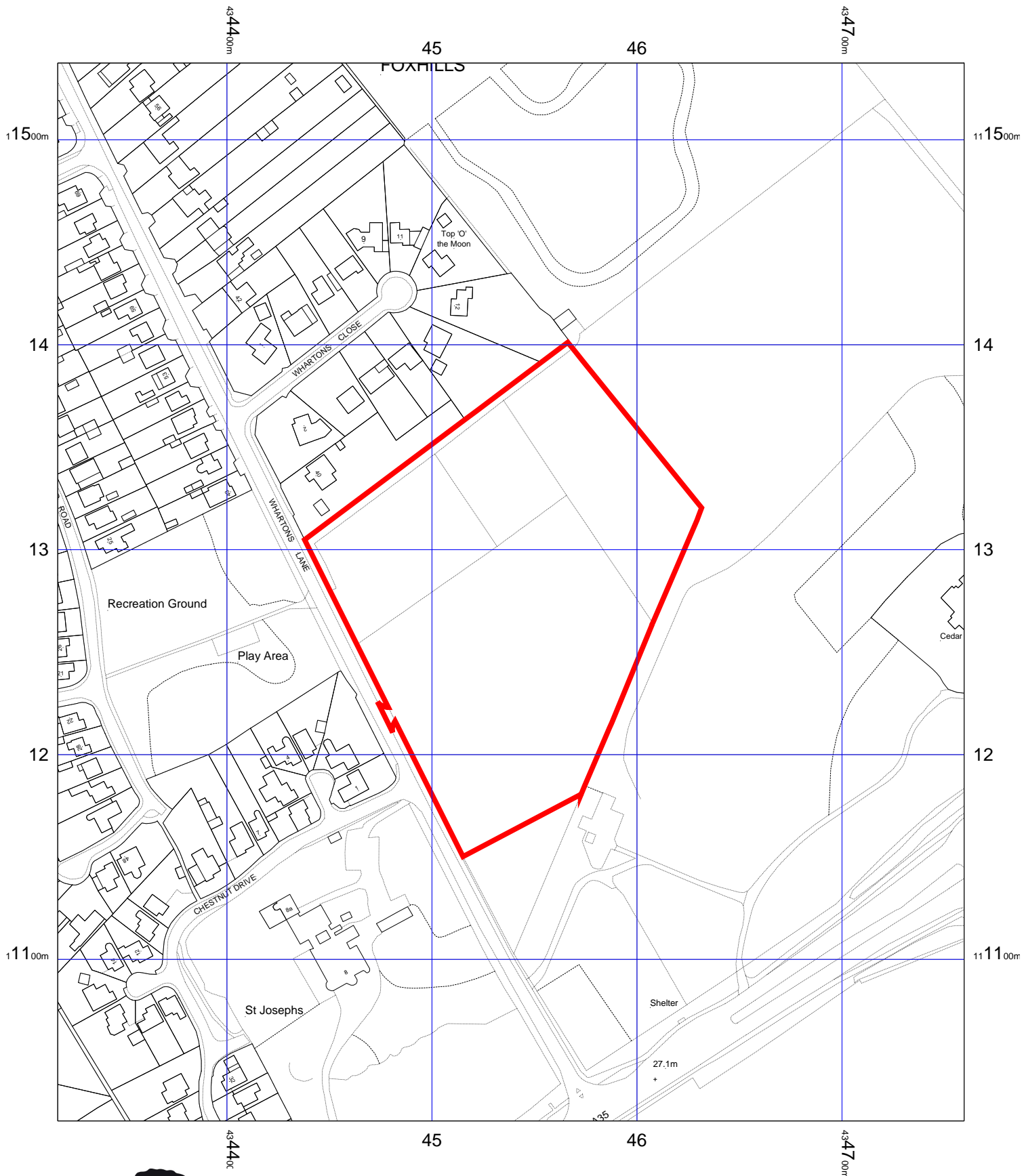
Reason: To ensure the satisfactory maintenance of the drainage system in accordance with national and local planning policies.

- 22 Prior to works to the proposed access, details of any mitigation measures that will be implemented to ensure an acceptable relationship between the fuel pipeline on Whartons Lane and the proposed access shall be submitted to and approved in writing by the National Park Authority. Development shall only proceed in accordance with the approved details.

Reason: In the interests of health and safety.

- 23 No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of survey and recording in accordance with a written scheme of investigation which has first been approved in writing by the New Forest National Park Authority.

Reason: The development site contains a non-designated heritage asset and recording should be carried out prior to the development taking place in accordance with Policy SP16 of the 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: 05/04/2022

**Ref: 21/00472**

**Scale: 1:2500**

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**Application No: 22/00018/FULL Full Application**

**Site:** Little Hayes, 43 Romsey Road, Lyndhurst, SO43 7AR

**Proposal:** Change of Use to residential (C3)

**Applicant:** Hammersley Homes

**Case Officer:** Liz Marsden

**Parish:** LYNDHURST

**1. REASON FOR COMMITTEE CONSIDERATION**

Significant local interest.

**2. DEVELOPMENT PLAN DESIGNATION**

Conservation Area

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

- DP2 General development principles
- SP16 The historic and built environment
- SP17 Local distinctiveness
- SP46 Sustainable tourism development

**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**

Cllr Heron (HCC) – objection.

Fully support the provision of this much needed type of facility within the local community; this cannot be at the expense of valuable tourism facilities, which are vital to the economy of Lyndhurst and the wider New Forest.

Current application is contrary to SP46(b). Insufficient evidence has been provided to demonstrate that the property's current use is unviable or that there is a surplus of this type of accommodation within the market area.

Furthermore, having reviewed the submitted documentation and description of the proposed use, I would question whether the application correctly seeks a change of use to Class C3, as the details appear to correspond with use Class C4.

## **7. PARISH COUNCIL COMMENTS**

Lyndhurst Parish Council: Recommend refusal but would leave the final decision to NFNPA Officers (previous comments of 01 February 2022 withdrawn). Recommendation followed consideration of additional information and representations which have come forward since the January Parish Council meeting, summarised as follows:

Appropriateness of the class of use applied for. It has been suggested that it should be Class C4 Houses in Multiple Occupation.

Article on the applicants website indicated that the premises would be open to other non-residents in the form of a day centre. This would raise further issues in respect of increase traffic movements and parking.

Whilst a site notice was posted, only one resident was formally notified which might be considered inappropriate given the location of the property.

Several anomalies/ inaccuracies on the application form.

Increased concerns about the nature of the proposed residents and the appropriateness of the site to accommodate them.

The applicants appear to be premature in including the property on their website as their first home, when it has not been purchased by them.

The spokesperson for the applicant stated that prospective residents would be referred by the local health authority as suitable for the home and the charity also have their own criteria. The property was considered suitable for people who are unable to live on their own as they have learning difficulties and fairly mild problems.

Note: The full Parish Council comments are available to view on the Authority's website.

## **8. CONSULTEES**

8.1 Planning Policy Officer: The site is located within the defined village boundary where the principle of appropriate development is supported.

Policy SP46 seeks to retain existing serviced accommodation where it contributes towards the sustainability of local communities. Where it is argued that the existing guest house use is unviable, information should be submitted to evidence this or there is a conflict with Policy SP46.

The case is made that the provision of this form of accommodation helps to meet identified local needs and that the change of use would support local residents. Policy SP39 relates to essential local facilities that are of clear and direct benefit to the local village rather than catering for wider needs that could be met elsewhere.

Overall suggest that further information is required to:

- (a) justify the loss of the existing guest house use; and
- (b) evidence the case that the change of use would support the local communities of the New Forest National Park.

## **9. REPRESENTATIONS**

9.1 60 letters of objection from 46 households on the grounds of:

- Contrary to policy.
- Loss of guest house use not good for tourism.
- Not a proper residential use.
- Site not suitable for those with mental health problems.
- Lack of detail about selection and supervision of residents and health provision.
- Lack of consultation and public engagement.
- Insufficient care and supervision likely to result in anti-social behaviour, which could adversely affect the safety of neighbours and others going past the site.
- Negative economic impact on the High Street and National Park.
- Limited access to public transport and lack of jobs within the village would hinder the development of occupants.
- No strategy to deal with the additional traffic and hazards from car parking. Increased noise and disturbance from vehicle movements.
- Proposal unsuitable for this area which is located in an area of holiday accommodation and opposite a pub. Also adjacent to traffic jams and fumes which are not good for mental health.
- Long-term upkeep of the property in doubt and deterioration would be detrimental to this prominent location.
- Occupation by 5 or 6 residents more disruptive than B and B use which is less intensive due to seasonality and pattern of holiday makers.
- No guarantee that it will be for local need.
- Supporters mainly not local.
- Inaccurate information on applicant.
- Changes to the charity website suggest that it could become a drop-in centre for non-residents.

9.2 13 letters of support for the following reasons:

- Good location to facilitate the rehabilitation of vulnerable people in a safe and welcoming location.
- Public benefit, providing safe home to the vulnerable and reassurance to their families.
- Urgent need for such facilities in the area.
- Most supported accommodation is only temporary and inadequate.
- Building looks suitable.
- Benefits of the use outweigh any loss of tourism.
- Remove some pressure on public sector finances.

9.3 Two neutral comments:

- Needs fair consideration.
- Proposal supported by mental health team.
- Need more information as to actual impact.

## 10. RELEVANT HISTORY

10.1 Change of use to residential (C3) (22/00150)- under consideration.

10.2 Use as guest house and form additional car parking (NFDC/98/63787) granted on 01 June 1998

## 11. ASSESSMENT

11.1 Little Hayes is a detached, two-storey building with further accommodation in the roof space. Permission was granted for its use as a guest house in 1998 and remains the lawful use of the building. Plans submitted with a previous application for an extension to the building show that there are seven bedrooms in total, with five ensuite guest bedrooms, two of which are at second floor level, and two smaller ensuite bedrooms for use by the owners.

The site is in a prominent location between Romsey Road to the east and a narrow lane that provides access to properties to the west of the site. To the north there is an open green area, beyond which there are further dwellings and to the east there is the car park and grounds of the White Rabbit public house. It is within the defined village and designated conservation area.

11.2 The proposal is for the change of use of the guest house to a dwelling, within Class C3 of the Use Classes Order. The application has been submitted by a charity which is proposing to use it to accommodate five residents, with provision for a support worker. This would fall within the definition of Class C3(b) which relates to use of a dwellinghouse by 'not more than six residents living together as a single household where care is provided for

residents'. There are no physical alterations proposed to the building and therefore no impact on the character and appearance of the conservation area or direct impact on the residential amenities of occupants of neighbouring properties through loss of light, outlook or privacy. The key consideration is therefore whether the use of the building as a single dwelling would be acceptable in this location, having regard to Local Plan policies.

- 11.3 With regard to the use as a house, it should be noted that, until 1998, the building was a single private dwelling and the site is located within the defined village where the provision of new residential properties are generally acceptable under Policy SP19. Whilst the size of the building is larger than would be acceptable under Policy SP21, the fact remains that it would be reverting to its original use and would contribute to the range of size of properties available in the National Park, providing a larger property and potentially reducing pressure for the extension of a more modest dwelling.
- 11.4 Local Plan Policy SP46 relates to sustainable tourism development. New tourist development is directed to the defined villages and the policy seeks to retain existing serviced accommodation where it contributes to the sustainability of the local community. In this case, it has been argued by the applicants that the guest house use is no longer viable and, given the number of other guest houses and hotels within Lyndhurst, the loss of five bedspaces is not significant and would not result in harm to the tourism industry. Limited information has been provided about the reasons as to why the guest house is no longer viable though it is understood that the guest house is not currently operational. Whilst the initial closure may be directly attributed to Covid restrictions, the trend during the last two years has been towards Airbnb accommodation rather than shared facilities, which has added significantly to the market competition. There are, for example, around 170 Airbnb units in the Lyndhurst area on the official website. In these circumstances, and given the small scale of the guest house, it is not considered that it would be possible to sustain an objection to the change of use on the grounds of Policy SP46.
- 11.5 Although the proposed change of use would result in the loss of guest accommodation, the applicants are seeking to use the property as shared accommodation for vulnerable adults and could therefore be considered to provide a local community facility. Policy SP39 states that such facilities will be supported where the proposal is of clear and direct benefit to the local village or rural community. Additional information has been provided by the applicants as to the nature of this use, including confirmation of the need for such facilities and that the residents would be, if not solely from Lyndhurst, from the New Forest area. The residents would be selected by the New Forest West



Community Health Trust and would therefore be restricted to people within their area. The property would therefore continue to provide some employment and some social benefit that would contribute to the wellbeing of both the residents and potentially the services in the village that they would use and would therefore be in accordance with Policy SP39.

- 11.6 However, it is recognised that, if permission is granted for the Class C3 residential use, there would be no restriction on the building being occupied as a single family dwelling. This would not then be considered as a community facility and there would be no policy support for the proposal. However, it is considered that the use of the building as a dwelling would be appropriate and that it would not be possible to sustain a refusal on the grounds that it would result in loss of tourism. In these circumstances, it would not be reasonable to require a legal agreement for the building to be used for the purposes set out in the application, though it is noted that the applicant is willing to accept a condition or enter into an agreement to this effect.
- 11.7 It is noted that there is a significant level of objection to the proposal from local residents for a variety of reasons, some of which, such as the loss of the tourist accommodation, have already been addressed. Other concerns are based on the nature of health or social issues of future occupants of the building, which it is feared will lead to public order offences and potential disruption to and conflict with the occupants of neighbouring properties. The nature of residents is not, however, a material planning consideration when determining the application. Furthermore, the legislation specifically classifies the scale and type of the proposed use as falling within the definition of a dwelling. Therefore, even if the building was currently a single family dwelling, permission would not be required to use the premises in the way that is currently proposed. Should circumstances alter and a greater level of care be required for the residents so that the use no longer falls with Class C3, then it would be necessary for a further application to be made.
- 11.8 There is also some dispute that C3 is the correct use class; information on the applicant's website suggesting that the building could be open during the day to other people with mental health problems, resulting in a meeting place that would not fall within C3. Further information has been received from the applicants' agent, confirming that such visits would be on an informal basis, such as any friends visiting a household. It has also been suggested that the correct use class would be C4 (houses in multiple occupation), but this is applicable to properties where residents, whilst sharing some facilities, live more independently, not forming a single household and there is no element of care. Additional concerns relate to the future management of the property and that it could fall into disrepair which would be detrimental to the visual amenities of this prominent location in

the conservation area. A statement has been submitted which sets out the management and the maintenance of the property going forward.

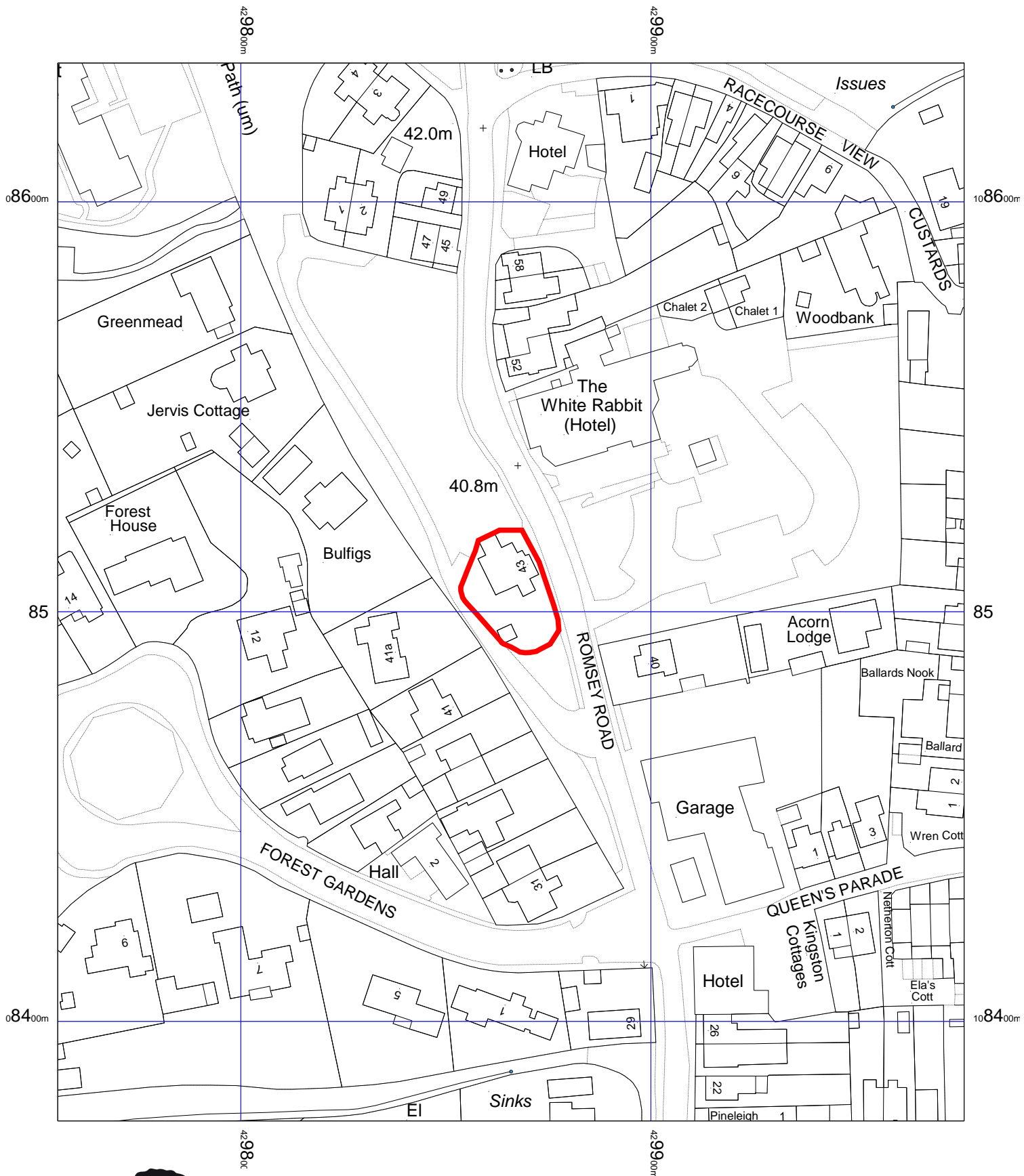
- 11.9 With regard to increased traffic movements and parking issues, it is not considered that the proposed use would result in a greater level of traffic than the guest house, where there is the potential for all guest rooms to be occupied, resulting in at least five cars in addition to the owners vehicles. Even if the proposed residents all had vehicles, this would not result in an increased number on site, though in fact it has been confirmed that the residents are unlikely to have cars and the proposal would therefore result in a decrease in traffic movements.
- 11.10 In conclusion, the proposal would result in the loss of a guest house and the building reverting to its original use as a dwelling. Whilst it is not considered that it would be possible to sustain an objection to the loss of tourist accommodation, there is some policy support for the proposal in terms of its benefit to the local community. In these circumstances, the application is recommended for permission.

## **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: 01, TQRQM22010161728361.
- No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.
- Reason: To ensure an acceptable appearance of the building in accordance with Policies SP16, SP17, DP18 and DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).



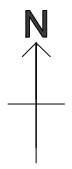
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 Lymington Town Hall, Avenue Road,  
 Lymington, SO41 9ZG

Tel: 01590 646600 Fax: 01590 646666

Date: 13/04/2022

**Ref: 22/00018**

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**Application No: 22/00137/FULL Full Application**

**Site:** Harbour View Cottage, Main Road, Dibden, Southampton, SO45 5TB

**Proposal:** Rear extension; partial conversion to facilitate additional first floor habitable accommodation; roof alterations and log store to existing garage

**Applicant:** Ms Terrill

**Case Officer:** Liz Marsden

**Parish:** HYTHE AND DIBDEN

**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  
DP37 Outbuildings  
SP17 Local distinctiveness  
SP6 The natural environment

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Design Guide SPD

**5. NATIONAL PLANNING POLICY FRAMEWORK**

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

**6. MEMBER COMMENTS**

None received

**7. PARISH COUNCIL COMMENTS**

Hythe and Dibden Parish Council: Recommend Permission

## **8. CONSULTTEES**

No consultations required

## **9. REPRESENTATIONS**

9.1 None received

## **10. RELEVANT HISTORY**

10.1 Conservatory and first floor extension (97/61832) granted on 14 August 1997

10.2 Addition of a bedroom with balcony over (88/39397) granted on 07 October 1988

10.3 Extension to form studio and erect double garage (87/36632) granted on 02 February 1988

10.4 Addition of a porch (84/28084) granted on 21 December 1984

## **11. ASSESSMENT**

11.1 Harbour View is a detached house with white rendered walls and a brown tiled roof. It is set towards the rear boundary of a good sized garden, which has a long road frontage but is relatively shallow in depth, so that the majority of the amenity space is located to the front and sides of the dwelling. The existing garage is located towards the north west corner of the site, forward of the house and the white painted brick and roof tiles reflect the materials of the dwelling. The site has mature trees and hedges along the road frontage and the north west and south eastern boundaries, though the south western boundary, separating the site from Dibden Golf Course, is more open. The surrounding area is predominantly rural in character and appearance.

11.2 The application seeks permission to extend the garage by 3m in length and alter the form and height of the roof to enable a home office in the roof space. This would alter the existing fully hipped roof with a short ridge line (4.3m high to the apex), to a full length roof pitched on both sides, the overall height of which (5m to the ridge) has been minimised by the use of a 1.5m flat section along the length of the roof. Two large flat roofed dormers, extending from the top of the building, are located in the front (north) elevation, facing the road, with 4 rooflights inserted into the rear elevation. A section of the roof would extend further down on the rear elevation to create a log store. The ground floor of the building would contain a home gym and shower room, utilising around two thirds of the floor area, with the remaining third at the front retaining the garage door and being used as store. The total internal floor area of the building would be increased from 30 sq.m

to around 70 sq.m.

The key considerations are:

- Whether the proposed building would fall within the criteria of Policy DP37 relating to outbuildings, and if it is appropriate to the dwelling and its curtilage;
- The impact on the character and appearance of the surrounding area;
- The impact on neighbour amenity; and
- The impact on trees.

11.3 The principle consideration in this case is whether the size, scale and design of the resultant outbuilding is proportionate and subservient to the existing dwelling. In this case, the existing dwelling is a four-bedroom property, with an element of the first floor accommodation located within the roof, resulting in an overall roof height of around 6.3m. This is not significantly higher than the proposed outbuilding, which has only been reduced to 5m by the contrived design and use of a flat roofed section. The introduction of the large flat roofed dormers at the same height as the roof will serve to emphasize the flat roof of the building and further increase the bulk of the structure. Given the design, height, bulk and position of the building to the front of the house, it is considered that the proposal would not be in keeping with, or sufficiently subservient to, the dwelling and would not therefore accord with adopted policies.

11.4 NPPF paragraph 134 advises that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. In January 2022 the Authority adopted a new Design Guide supplementary planning document (SPD), which includes on pages 26 and 27, a design code for the National Park. Whilst it does not comprise new policy, it is a material consideration in the determination of planning applications. The SPD (page 35) recognises that new outbuildings can be alien features in the landscape and should be low key in design and appearance, with low pitched roofs. The existing roof pitch of the garage building is in accordance with these design guidelines, but the proposal would result in a significant increase in pitch to enable the accommodation in the roof. Whilst the new roof pitch may reflect that of the dwelling, the substantial dormers and flat roofed section are out of keeping with the house and not characteristic of the development in the surrounding area.

11.5 In terms of the impact on the character and appearance of the surrounding area, it is recognised that the existing garage is substantially screened by the mature trees and hedgerow along the frontage of the site. However, the increase in the height of the

building, together with the bulkier and incongruous design of the roof, would increase the visibility of the building and its impact, particularly in views heading northwest along the road, where the proposal would be seen through the access to the site and above the lower frontage hedge. Section 15 of the National Planning Policy Framework (NPPF) confirms that great weight should be given to conserving the landscape and scenic beauty in National Parks, designations which enjoy the highest status of protection. It is also the statutory duty of all English National Parks to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park (being the first statutory purpose as set out in the Environment Act 1995). The NPPF also states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area (paragraph 130). Additionally, Policy SP17 importantly recognises the cumulative impact that individual proposals can have in terms of their harmful urbanising impact which can erode the special rural qualities of the New Forest National Park. It is considered that the current proposal, by reason of its design and increased visibility would be detrimental to the character and appearance of the surrounding area.

- 11.6 In terms of meeting the other requirements of Policy DP37 (outbuildings) it is recognised that the building is located within the residential curtilage and the proposed uses would be incidental to the use of the main dwelling. It is also acknowledged that, notwithstanding the loss of the garaging, there is sufficient room on the existing driveway to the frontage of the site to accommodate a level of parking appropriate to the property and that the proposal would not result in the undue loss of private amenity area. However, this does not outweigh the strong objection in terms of design set out above.
- 11.7 The site is at a sufficient distance from the nearest neighbouring properties to ensure that the proposal would have no adverse impact on the occupants of their amenities, through loss of light, outlook or privacy.
- 11.8 As noted, there are trees in the vicinity of the garage and the extension to the footprint of the building would be closer to those along the north western boundary. However, the groundworks would remain outside the canopy of the trees and it is not considered that the proposal would have an adverse impact on their well-being or long term retention.
- 11.9 The proposed development would result in a building of a size and design that would be disproportionate to and out of keeping with the dwelling and detrimental to the character and appearance of the surrounding area. As such it would be contrary to Policies DP2, SP17, DP37, DP18, the Design Guide SPD and National Planning Policy Framework.

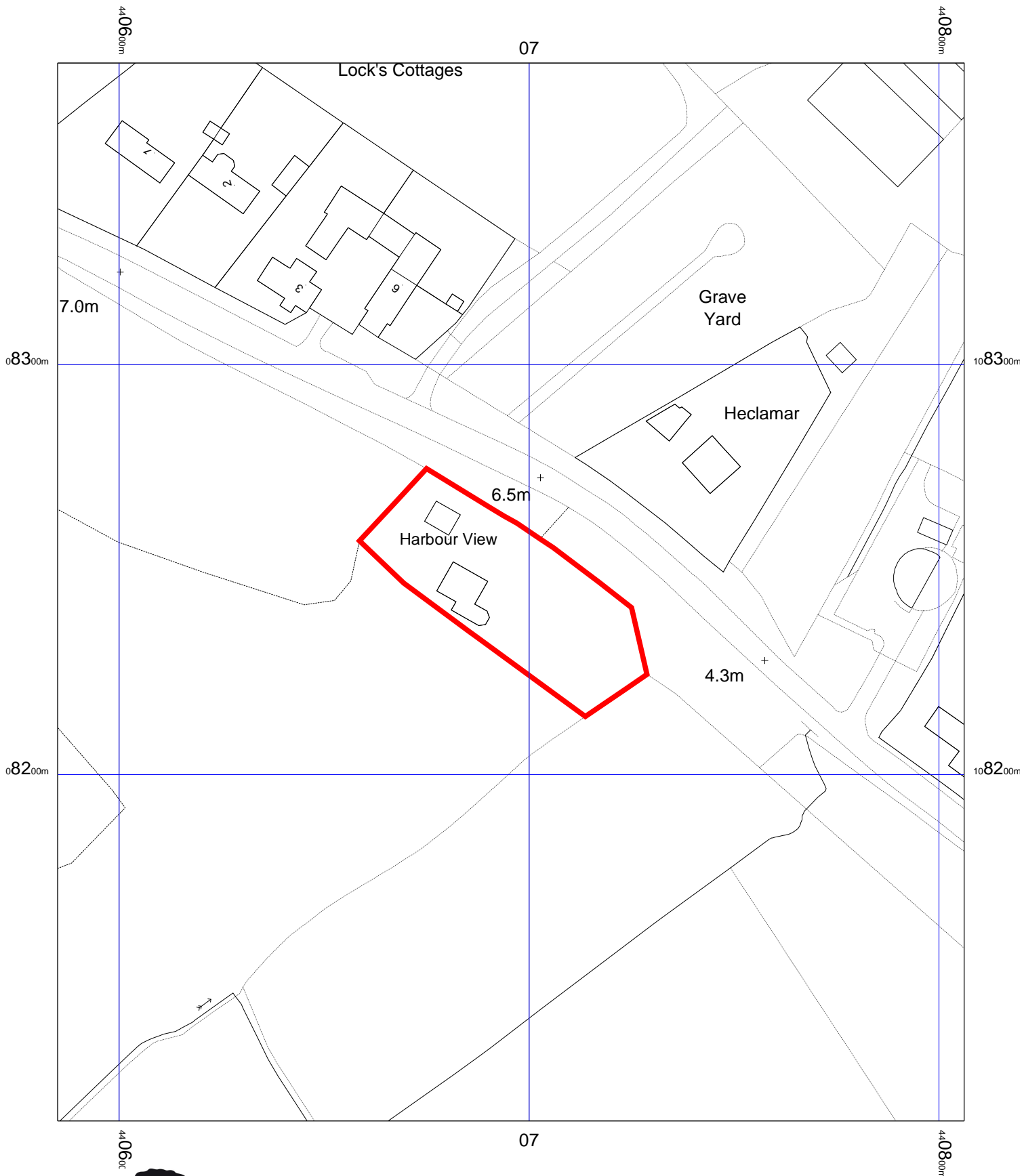
## 12. RECOMMENDATION

Refuse

### Reason(s)

- 1 The extension and alteration to the roof of the existing outbuilding, by reason of their size, height, massing and design would not be in keeping with or subservient to the main dwelling and fail to be appropriate or sympathetic to its setting within a rural landscape. The development would therefore be harmful to the local character and appearance of the area and contrary to the requirements of Policies DP2, DP18, DP37 and SP17 of the New Forest National Park Local Plan 2016-2036 (August 2019) and sections 12 and 15 of the National Planning Policy Framework.





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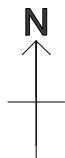
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Date: 06/04/2022

**Ref: 22/00137**

**Scale: 1:1250**

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**Application No: 22/00150/FULL Full Application**

**Site:** Little Hayes, 43 Romsey Road, Lyndhurst, SO43 7AR

**Proposal:** Change of use to residential (C3)

**Applicant:** Mr Rydzynski

**Case Officer:** Liz Marsden

**Parish:** LYNDHURST

**1. REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish Council view

**2. DEVELOPMENT PLAN DESIGNATION**

Conservation Area

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

- DP2 General development principles
- SP16 The historic and built environment
- SP17 Local distinctiveness
- SP46 Sustainable tourism development

**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**

Lyndhurst Parish Council: Revised Parish Council response: Recommend that permission be refused (6:1).

It was noted that there were strong neighbour objections to the proposals. The change of use would mean the loss of a valuable tourism facility which had, until a previous sale fell through, been fully booked so

this application does not comply with Policy SP46 concerning sustained tourism.

## **8. CONSULTEES**

No consultations required

## **9. REPRESENTATIONS**

9.1 Nine letters of objection on grounds of:

- Further loss of holiday accommodation in addition to the Lyndhurst Park Hotel and, recently Whitemoor House Hotel would be detrimental to the local economy which requires tourism to sustain it.
- Previously the guest house was always busy and contributed to the thriving community.
- If Class C3 use granted, it could still be used for multiple occupancy resulting in a considerable increase in noise and disturbance in a quiet part of the village, which was never caused by the B and B use.

## **10. RELEVANT HISTORY**

10.1 Change of use from guest house (C1) to residential (C3) (22/00018) - under consideration.

10.2 Use as guest house and form additional car parking (NFDC/98/63787) granted on 01 June 1998

## **11. ASSESSMENT**

11.1 Little Hayes is a detached, two-storey building with further accommodation in the roof space. Permission was granted for its use as a guest house in 1998 and remains the lawful use of the building. Plans submitted with a previous application for an extension to the building show that there are seven bedrooms in total, with five ensuite guest bedrooms, two of which are at second floor level, and two smaller ensuite bedrooms for use by the owners.

The site is in a prominent location between Romsey Road to the east and a narrow lane that provides access to properties to the west of the site. To the north there is an open green area, beyond which there are further dwellings and to the east there is the car park and grounds of the White Rabbit public house. It is within the defined village and designated conservation area.

11.2 The proposal is for the change of use of the guest house to a dwelling, within Class C3 of the Use Classes Order. There are no physical alterations proposed to the building and therefore no

impact on the character and appearance of the conservation area or direct impact on the residential amenities of occupants of neighbouring properties through loss of light, outlook or privacy. The key consideration is therefore whether the use of the building as a single dwelling would be acceptable in this location, having regard to Local Plan policies.

- 11.3 With regard to the use as a house, it should be noted that, until 1998, the building was a single private dwelling and the site is located within the defined village where the provision of new residential properties are generally acceptable under Policy SP19. Whilst the size of the building is larger than would be acceptable under Policy SP21, the fact remains that it would be reverting to its original use and would contribute to the range of size of properties available in the National Park, providing a larger property and potentially reducing pressure for the extension of a more modest dwelling.
- 11.4 Local Plan Policy SP46 relates to sustainable tourism development. New tourist development is directed to the defined villages and the policy seeks to retain existing serviced accommodation where it contributes to the sustainability of the local community. No information has been provided as to the reasons for the change of use though it is understood that the guest house is not currently operational. Whilst the initial closure may be directly attributed to Covid restrictions, the trend during the last two years has been towards Airbnb accommodation rather than shared facilities, which has added significantly to the market competition. There are, for example, around 170 Airbnb units in the Lyndhurst area on the official website. In these circumstances and, given the small scale of the guest house, it is not considered that it would be possible to sustain an objection to the change of use on the grounds of policy SP46.
- 11.5 Concerns have been raised by local residents that the change of use to a dwelling could still result in multiple occupancy of the property, which would result in increased noise and disturbance. However, the definition of a C3 dwelling in the Use Classes Order is clear as to the number and type of occupants that can be accommodated within this class and that the level of activity that would be generated would be appropriate to a single dwelling. Therefore, providing the building is occupied by residents falling within the parameters of the Class C3, it is not considered that the proposal would result in increased disturbance beyond that generated by the existing guest house use or that an objection could be sustained on these grounds.
- 11.6 The use of the property as a single dwelling would be likely to result in a decrease in traffic movements and parking requirement and therefore be a benefit to highway safety.
- 11.7 In conclusion, the proposal would result in the loss of a guest

house and the building reverting to its original use as a dwelling. The site is located within the defined village where residential uses are generally acceptable and it is not considered that it would be possible to sustain an objection to the loss of tourist accommodation. In these circumstances, the application is recommended for permission.

## **12. RECOMMENDATION**

Grant Subject to Conditions

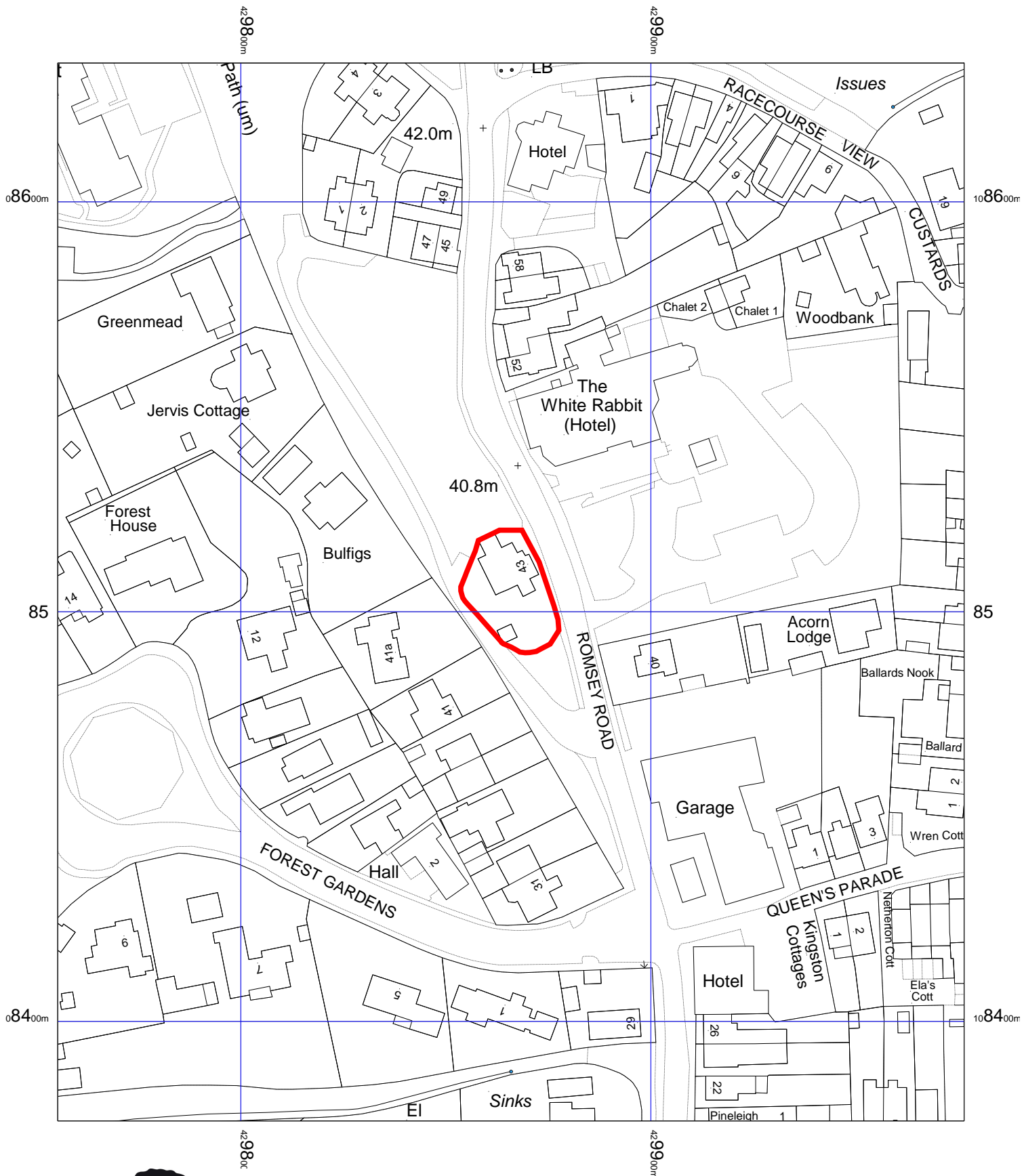
### **Condition(s)**

- 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: 01, TQRQM2201061728361. No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.

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



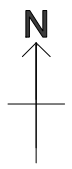
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**Application No: 22/00164/ADV Advertisement Consent**

**Site:** Jewsons, Common Road, Whiteparish, Salisbury, SP5 2QW

**Proposal:** Display of 1no. non-illuminated post mounted sign (Application for Advertisement Consent)

**Applicant:** Mr I Conabeer, Jewson

**Case Officer:** Ann Braid

**Parish:** WHITEPARISH

**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  
 SP7 Landscape character  
 SP15 Tranquillity

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Design Guide SPD

**5. NATIONAL PLANNING POLICY FRAMEWORK**

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

**6. MEMBER COMMENTS**

None received

**7. PARISH COUNCIL COMMENTS**

Whiteparish Parish Council: Recommend refusal:

Object to this application and recommend refusal of a large sign on registered common land as it sets a precedent for further signs in the New Forest National Park area of the village of Whiteparish.

## **8. CONSULTEEES**

8.1 Highway Authority (WC): No objection subject to condition

## **9. REPRESENTATIONS**

9.1 The sign is out of keeping with the locality, which is ancient woodland and rural. The sign is located on common land.

## **10. RELEVANT HISTORY**

10.1 Erection of storage building; cladding to existing mill building; external racking; external building and pole mounted lighting; barrier; demolition of existing warehouse (21/00399)- pending decision.

## **11. ASSESSMENT**

11.1 The Jewsons site is located close to the junction between Common Road and the A36 Salisbury Road. The site was originally a brickworks and comprises a range of substantial buildings which are used for storage and distribution as well as retail. The surrounding land is rural with ancient woodland adjacent to the site, and fields behind. There are two dwellings located to the west of the site and limited sporadic residential development along the A36. The land to the rear of the site is at a higher level, and the northern and eastern boundaries are wooded. There is existing security lighting at the site, and, until recently, the site has displayed a non-illuminated sign attached to the fence, miscellaneous banner signs and a flag sign close to the access to the site.

11.2 An application is currently under consideration to replace or upgrade some of the buildings and revise the layout of the site and traffic circulation. In respect of that application, there are considerable issues relating to drainage, lighting, ecology and materials as well as the impact of use of the site on neighbours which still need to be addressed and additional information is in the process of being prepared.

11.3 Advertisement consent is sought for a sign at the access which would be mounted on poles. It would have a maximum height of 3 metres and measure 1.7 metres across. The application is retrospective, and the sign which was formerly attached to the fence has been removed. The flag sign is also no longer displayed, and it is intended to remove the flag pole.

11.4 Regulation 3 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 requires that local planning authorities control the display of advertisements in the interests of amenity and public safety, taking into account the



provisions of the development plan, in so far as they are material, and any other relevant factors. Unless the nature of the advertisement is in itself harmful to amenity or public safety, consent cannot be refused because the local planning authority considers the advertisement to be misleading (in so far as it makes misleading claims for products), unnecessary, or offensive to public morals. The issues to be assessed are therefore whether the proposed non-illuminated sign would have any impact on highway safety and whether there would be any adverse impact on the amenity of the locality.

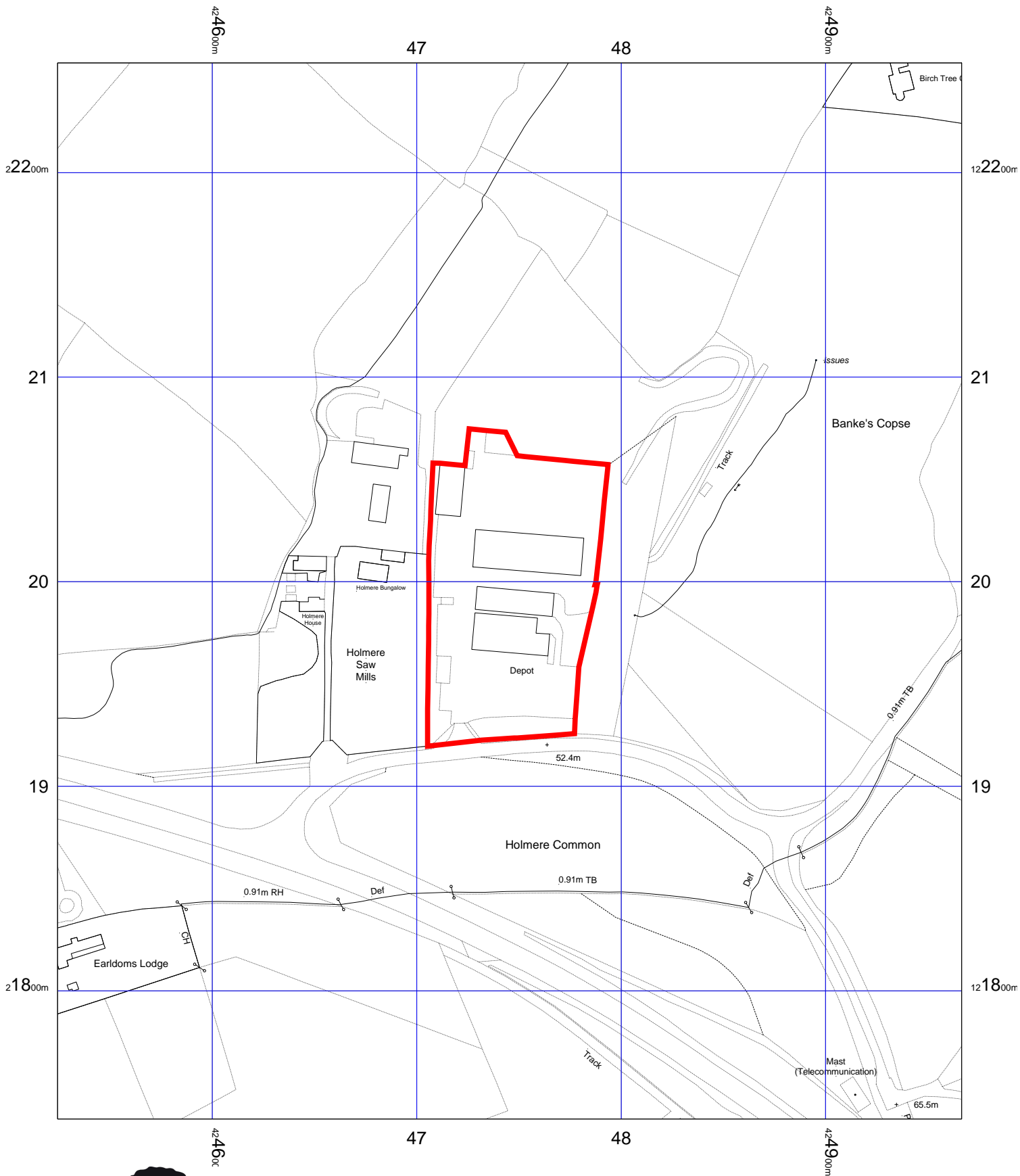
- 11.5 The Highway Authority (Wiltshire Council) raises no objection to the proposal. The requested condition is intended to ensure the sign would be no closer to the highway than 600mm. This has been checked on site and as the sign is in situ more than 600mm from the highway, there is no need to impose the condition. With regard to local amenity, the sign is not illuminated, and is similar in size and visual impact to the sign that was formerly displayed. The removal of the advertising flag has reduced signage clutter and overall the proposed sign does not appear inappropriate, or out of keeping with the scale of the Jewsons site.
- 11.6 The Parish Council has raised an objection to the siting of the new sign, on land which is understood to be common land. According to the application forms and plans, the applicants own the land on which the sign is sited and whilst the Parish Council's concern is valid in respect of the amenity of the areas of their parish which are part of the common lands and the National Park, any applications for signs on other commercial premises along Common Road may be assessed individually, and as this is a relatively simple and modest in comparison with the scale of the buildings on the site, it would not create an undesirable precedent.
- 11.7 The adopted New Forest Design Guide advises that opportunities should be taken in rural localities to reduce sign clutter, by ensuring signs are well positioned, visible, and readable. In this instance, the proposal would appear appropriate and sympathetic in the light of the overall character of the site and in comparison with previously displayed signage. The sign would not contribute further to a gradual suburbanising effect within the National Park, and the proposal would therefore be in accordance with Policies DP2 and SP17

## 12. RECOMMENDATION

Grant Subject to Conditions

### Condition(s)

1. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the local planning authority.
2. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.
3. Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the local planning authority.
4. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
5. No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of, and road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway or aerodrome (civil or military).



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Lymington Town Hall, Avenue Road,  
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Tel: 01590 646600 Fax: 01590 646666

Date: 06/04/2022

**Ref: 22/00164**

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