

Application No: 21/00982/FULL Full Application

Site: Top Corner, Plot 2, Petlake Farm, Ringwood Road, Bartley, SO40 7LA

Proposal: 1.2 metre high fencing; gates; extension to track to provide turning area (AMENDED PLANS)

Applicant: Mrs Greenaway

Case Officer: Ann Braid

Parish: NETLEY MARSH

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Conservation Area
Tree Preservation Order

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP2 General development principles
SP17 Local distinctiveness
DP50 Agricultural and forestry buildings
SP6 The natural environment

4. SUPPLEMENTARY PLANNING GUIDANCE

Not applicable

5. NATIONAL PLANNING POLICY FRAMEWORK

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

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Netley Marsh Parish Council: AMENDED PLANS

Recommend refusal, for the reasons listed below:

There are concerns about this application, it is felt that NFNPA need to consider an overall plan for this site and have a consistent approach for the whole site.

8. CONSULTEES

8.1 Tree Officer: No objection

8.2 Highway Authority (HCC): No objection.

9. REPRESENTATIONS

9.1 Eight letters of support commenting:

- The proposed uses are suitable.
- The land has been divided into fewer plots than originally anticipated.
- Re-wilding and tree planting should be supported.

9.2 Nine letters of objection on the following grounds:

- The land is not suitable for year-round use; it is waterlogged in winter.
- The land is not unused, it is suitable for hay and silage and has produced a good hay crop in the past.
- Subdivision would have a visual impact.
- Permanent structures would have a visual impact.
- The proposal would be a precedent for other plots.
- Fencing should not be allowed.
- The proposed fencing is unsuitable for livestock.
- The hard standing is no use without a building and is the right size for a mobile home.
- The access is dangerous.
- The proposals are excessive for such a small field.

10. RELEVANT HISTORY

10.1 None

11. ASSESSMENT

11.1 The site comprises a field of 0.68 hectares which slopes up from the road and is currently laid to grass. The land was formerly part of a larger field which has been used as winter grazing and for the cutting of a hay/ silage crop. The field has been recently sold to individual owners as 'leisure plots' although no consent has been granted for any use on the land other than agriculture. There is an Article 4 Direction which relates to the land, and requires that planning permission should be sought for any form of fencing on the land.

- 11.2 The proposal is for an extension to the track to provide a parking and turning area, as well as fencing around the land in the ownership of the applicant. Permitted development rights to fence the land were withdrawn following the acquisition of the field by multiple owners, in order to prevent the visual impact of an excessive number of fences. This application is for 1.2 metre high post and wire fencing around the site, except along the road frontage where the height would be one metre. It is also proposed to extend the existing overgrown track, to provide a turning area, to be surfaced in hoggin.
- 11.3 The supporting statement indicates that the fencing and hard surfacing are required for agricultural purposes, and that bee hives and a pair of rare pigs are to be kept on the land. It is also proposed to plant an orchard. The applicant also wishes to delineate the land in her ownership. Policy DP50 of the adopted Local Plan states that permission will be granted for agricultural development where there is a functional need for it, and where the scale of the proposal is commensurate with that need. None of the proposed agricultural uses are currently taking place on the land which remains part of a larger field of grass.
- 11.4 The track and area of hoggin are considered to be reasonable, given the low-key agricultural use described in the supporting statement. The area of hard surfacing is the minimum required for the applicant to access her land safely and start using it for the proposed agricultural uses. The area of hoggin would be located within the site and screened from the road by the existing boundary trees. It would be sufficiently far from the protected belt of trees as to have no adverse impact. The proposal would therefore accord with Policy DP50 which relates to agricultural development.
- 11.5 The Parish Council object to the development and would welcome a comprehensive plan for the whole of the original single field. However, the site is now legally owned by several owners, each of whom may have their own ideas for the agricultural use of their plots. Provided the development applied for would be acceptable in planning and landscape terms, a consistent approach could be taken to development proposals from each of the owners and there would be no need for a comprehensive plan. The Highway Authority has raised no objection to the use of the existing access.
- 11.6 The Article 4 Direction which relates to the entire field was designed to establish control over the type of fencing that could be erected across the field. It does not mean that no fencing will be allowed, but it enables the Authority to consider proposals to enclose portions of the land on their planning merits. Whilst the individual fencing of multiple smaller properties could change the character of the field and have an impact on the visual amenity of both the conservation area and the wider National Park landscape, the proposed fence is low key, visually permeable and

appropriate to the agricultural nature of the locality. The extension to the track would allow the applicant to turn vehicles within the site and park on an area of permeable surface. It is therefore considered that the proposal would therefore accord with Policies SP16 and SP17 which relate to impacts on the conservation area and the wider National Park respectively.

12. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

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

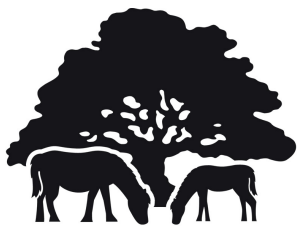
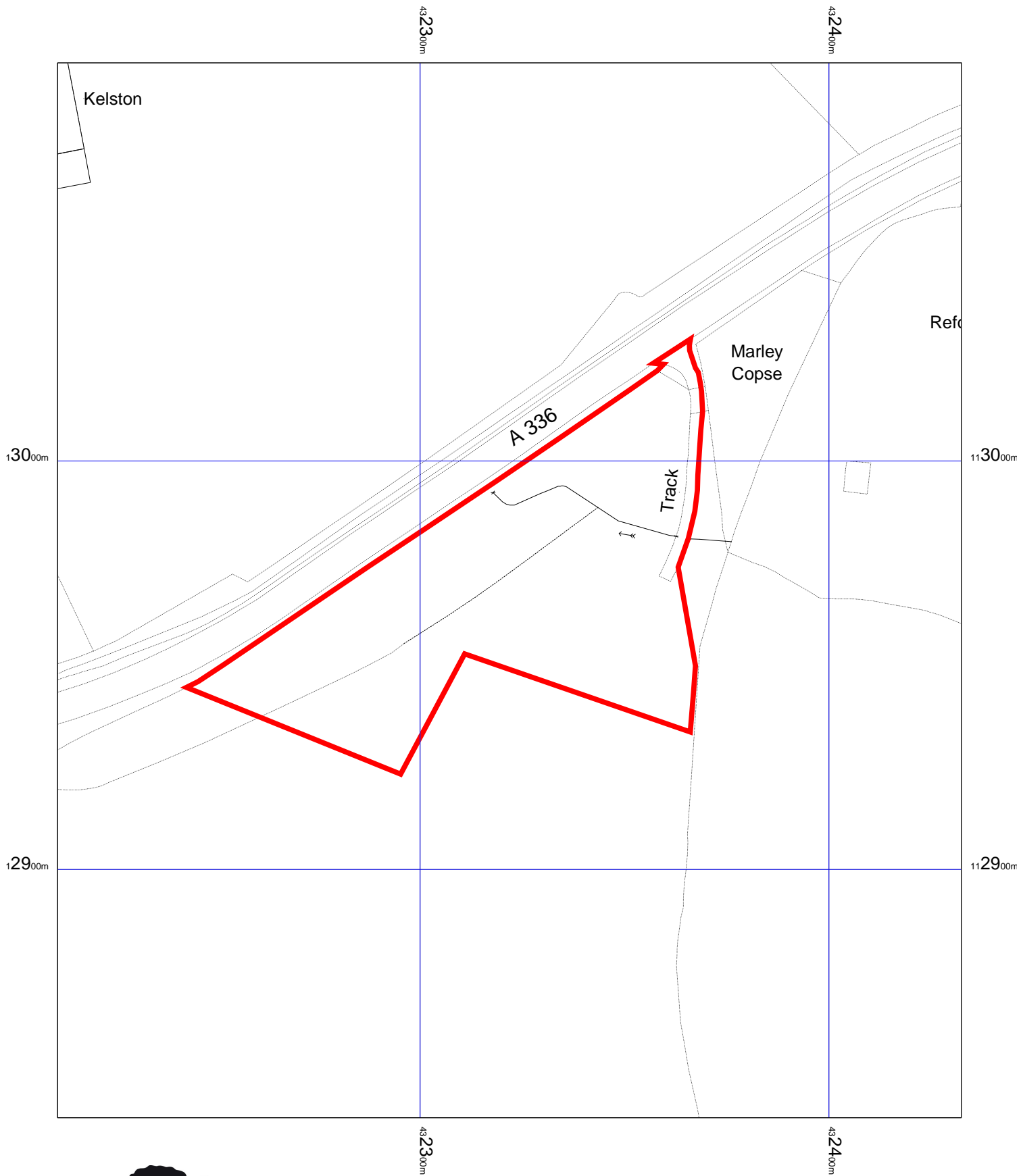
Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Development shall only be carried out in accordance with drawing numbers: PLF-RH-ZZ-XX-DR-A-4002-PL, PLF-RH-ZZ-XX-DR-A-2004-PL-P1, Rev C, PLF-RH-ZZ-XX-DR-A-2002-PL Rev B and PLF-RH-ZZ-XX-DR-A-2001-PL-P5 Rev B. No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.

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

- 3 The materials to be used in the development shall be as stated on the application form and drawings hereby approved, unless otherwise agreed in writing by the New Forest National Park Authority.

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).



NEW FOREST
NATIONAL PARK

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

Tel: 01590 646600 Fax: 01590 646666

Date: 01/06/2022

Ref: 21/00982

Scale: 1:1250

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Application No: 21/01048/VAR Variation / Removal of Condition

Site: Fawley Quarry, Calshot Road, Calshot, Southampton, SO45 1BB

Proposal: Application to vary conditions 1, 2, 5 and 17 of planning permission 18/00437 to facilitate revised restoration scheme

Applicant: Mr Chewter

Case Officer: Natalie Walter

Parish: FAWLEY

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

No specific designation

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

- SP1 Supporting sustainable development
- DP2 General development principles
- SP5 Nature conservation sites of international importance
- SP6 The natural environment
- SP7 Landscape character
- DP8 Safeguarding and improving water resources
- SP15 Tranquillity
- SP16 The historic and built environment
- SP17 Local distinctiveness
- DP18 Design principles
- SP26 Land adjacent to the former Fawley Power Station
- 3 Protection of habitats and species
- 4 Protection of the designated landscape
- 7 Conserving the historic environment and heritage assets
- 8 Protection of soils
- 9 Restoration of Minerals and Waste Developments
- 10 Protecting public health, safety and amenity
- 11 Flood risk and prevention
- 12 Managing traffic

4. SUPPLEMENTARY PLANNING GUIDANCE

Not applicable

5. NATIONAL PLANNING POLICY FRAMEWORK

Sec 15 - Conserving and enhancing the natural environment
Sec 16 - Conserving and enhancing the historic environment
Sec 17 - Facilitating the sustainable use of minerals

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Fawley Parish Council: Recommend refusal and consider further information should be provided on the need for this revised restoration scheme.

8. CONSULTEES

- 8.1 Archaeologist: No objection subject to conditions to secure a Written Scheme of Investigation, post investigation assessment and appropriate provision for analysis, publication and dissemination of results and archive deposition.
- 8.2 Landscape Officer: Support subject to modification (February 2022). Comments subsequently largely addressed in response from applicant.
- 8.3 Hampshire County Council Flood and Water Management: No objection. Note that the application is for the restoration of an existing quarry including planting and development of ponds. The development proposals do not include any increases in impermeable area and the existing drainage system will be maintained.
- 8.4 Environmental Protection (NFDC) No objection with regard to noise and air quality subject to conditions 4, 12, 13, 14 and 15 of permission 18/00437 remaining in effect. In relation to contamination, a Construction Environmental Management Plan is required to manage environmental impacts during construction and to ensure that any unexpected finds can be managed/mitigated. Endorse the restoration of the quarry with imported clean and uncontaminated natural soils and subsoil. This would be covered by the Materials Management Plan.
- 8.5 Ecologist: No objection subject to details of Construction Environmental Management Plan and Landscape and Ecology Management Plan being the subject of condition and which should include details of ecological design, monitoring and feedback and consultation to enable target habitats to be achieved.

- 8.6 Tree Officer: No objection. There are no direct implications for any important amenity trees with this application and no objection on trees grounds.
- 8.7 New Forest District Council - Development Control: No objection. Comments made in relation to the land affected by the applications for the former Fawley Power Station site (NFDC application reference: 19/10581 and NPA application reference: 19/00365). Note that the proposed restoration plans, by and large, reflect the green infrastructure and mitigation proposals that are associated with the power station redevelopment. Draw attention to the proposed phasing.
- 8.8 Environment Agency: No objection. Following the applicant's update document (21 March 2022), agree to the rewording of condition 5 to reference "clean and uncontaminated soils, subsoils and stones" and removal of the references in the proposed variation to Definition of Waste: Code of Practice.

9. REPRESENTATIONS

- 9.1 One objection received on the following grounds:
- Cannot support the extension of the working life of the quarry until 2031.
 - Original permission was granted on appeal and there have been delays and extensions at every stage of the quarry's life.
 - Appreciates that there have been unanticipated setbacks to operation but objects to more years of traffic, noise and dust.
 - No objection to variation of condition 2 to allow restoration works to cease by 2031 and supports the restoration scheme.
- 9.2 One representation of comment received from Fawley Waterside Limited:
- Detailed discussions with the quarry operator have taken place prior to the submission of the application to ensure consistency with the Fawley Waterside parameter plans and phasing requirements.
 - The application is consistent with the approved design and phasing principles for Fawley Waterside.
 - The quarry application facilitates the reuse of the land to the east and west of the B3053.
 - There will be a need to approve further landscape details for the development parcel to the east of the B3053 through the reserved matters applications that will follow the grant of outline planning permission for the Fawley Waterside development.
 - Confirm that the raised banks will not include chalk materials.
 - Consider that acceptable gradients can be achieved for future footpaths.

- Continuing discussions are taking place with the operator to ensure that the restored land is available in step with the construction by Fawley Waterside.

10. RELEVANT HISTORY

- 10.1 Temporary and restricted access points; gates; works to bund (21/00607) approved on 25 March 2022.
- 10.2 Temporary open storage of wind turbine blades (Use Class B8) (21/00098) approved on 5 May 2021
- 10.3 Application for Scoping Opinion under Regulation 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 for temporary open storage of wind turbine blades (Class B8) until 31 December 2022 (20/00755) EIA not required on 21 December 2020
- 10.4 Outline application for land within the New Forest National Park Authority comprising the removal of structures on the quarry site and provision of 120 new homes, 1000 square metres of new civic space including provision for Early Years Learning (Use Class D1), 200 square metres of drinking establishments (Use Class A4), a two form entry primary school, flood defences / sea wall, public open space and habitat enhancement of existing land, hard and soft landscaping, Suitable Alternative Natural Greenspace, a saline lagoon, tidal creek, reconfiguration of the existing access and creation of a new access from the B3053 and access road through the site, associated infrastructure and engineering works (access to be considered) (AMENDED DESCRIPTION AND AMENDED PLANS) (1900365) committee resolution to approve on 28 July 2020 subject to legal agreement.
- 10.5 Application for Scoping Opinion under Regulation 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 for Fawley Quarry restoration (20/00375) scoping response given on 16 July 2020.
- 10.6 Application for Screening Opinion under Town and Country Planning (Environmental Impact Assessment) Regulations 2017 for importation of soils to improve restoration and regularise surrounding ground levels (19/00055) EIA required on 11 February 2019.
- 10.7 Application to vary conditions 2, 5 and 17 of planning permission 18/00437 to allow revised restoration scheme (18/00756) withdrawn on 19 December 2018.
- 10.8 Application for a Certificate of Lawful Development for Proposed implementation of sand and gravel extraction in phase II in accordance with application NFDC/MIN/91/48794- Appeal reference: APP/1700/A/94/246467 (18/00540) certificated issued (lawful) on 04 October 2018.

- 10.9 Application to vary condition 5 of planning permission 18/00140 to allow the restricted importation of sands and gravels (18/00437) approved on 4 September 2018.
- 10.10 Application to vary condition 2 of planning permission 18/00140 to allow revised working scheme for sand and gravel extraction (18/00140) granted on 11 May 2018.
- 10.11 Request for scoping opinion for the demolition and redevelopment of Fawley Power Station and the development of surrounding land to create a new 1,530 home community with 90,000 sq m of new commercial and employment space (Use Classes A1, A2, A3, A4, B1, B2, B8, C1, D1 and D2); refurbishment of the Power Station Chimney; enlargement of the dock and creation of a canal within part of the turbine hall basement; refurbishment of the remainder of the turbine hall basement to create a 2,100 space car park; a boat stack; a two form entry primary school; public open space and habitat enhancement of existing land; Suitable Alternative Natural Green Space; a saline lagoon; reconfiguration of the existing access and creation of a new access from B3053; and associated engineering and landscaping works (17/00975) scoping opinion issued on 17 January 2018.
- 10.12 Application to vary conditions 1 (timescale), 2 (Scheme of working), 4 (hours of working), 11 (plant details) and 20 (restoration scheme) of application 07/92181 (13/98825) approved on 21 November 2013.
- 10.13 Revised restoration scheme pursuant to Condition 20 of Permission 07/92181(12/97680) approved on 24 September 2012.
- 10.14 Variation of condition (3) on APP/21700/A/94/246467 to alter the order of phasing and to create a replacement silt bed in phase W10 (Amended description) (07/92181) approved on 26 June 2008.
- 10.15 Extension to sand and gravel site (48796) (our reference: 91/48794) refused by HCC on 22 June 1994. Subsequent appeal (reference APP/21700/A/94/246467) allowed on 31 January 1996.

11. ASSESSMENT

- 11.1 Fawley Quarry lies 1.5km south east of Fawley and the application site comprises circa 56 hectares. The site lies on both sides of the B3053 and is bound by Fawley Power Station to the east, agricultural land to the north and south with residential properties bordering the site along Badminston Drove. Listed buildings are located at Badminston Farm to the north and Ower Farm to the south.

11.2 The site is the subject of an extant planning permission (application reference: 18/00437) for the extraction of sand and gravel which expires on 14 January 2027. This application seeks consent for the variation of the following conditions:

Condition 1 (timing of works and restoration);
Condition 2 (phasing of restoration);
Condition 5 (source of materials for restoration); and
Condition 17 (details of restoration scheme).

Background to the Proposal

11.3 Planning permission 18/00437 followed several consents to vary the original 1996 appeal permission. Condition 1 of planning permission 18/00437 requires development (other than aftercare requirements) to cease on or before 14 January 2027 and the site to be restored within a further six months. Condition 2 sets out phasing requirements for the proposed extraction and restoration. Condition 5 restricts the source of materials from outside the site to sands and gravels from Hythe Quarry or marine dredged sands and gravels. Condition 17 provides details of the proposed restoration.

Application Proposal

11.4 The current application proposes to vary planning permission 18/00437 as follows:

- Condition 1- an extension of the time period for development (other than aftercare requirements) to 31 December 2031.
- Condition 2- amendment to the proposed phasing of works with restoration works to cease by 31 December 2031.
- Condition 5- amendment to allow the import of clean and uncontaminated soils, subsoils and stones.
- Condition 17- restoration of the site in accordance with amended details.

11.5 The application has been accompanied by an environmental statement.

11.6 The key issues in this case are:

- The need for the proposed variation of conditions;
- The impact on the landscape;
- Ecological impacts;
- Heritage impacts;
- Highway considerations;
- The impact on neighbouring amenity; and
- The relationship with the proposed development at Fawley Power Station (planning application reference: 19/00365 and concurrent NFDC application reference: 19/10581).

Need for Variation of Conditions

- 11.7 The quarry produces two types of mineral: an upper seam of sand and gravel used to make construction aggregates and a lower seam of "industrial" sand which is used as bedding sand for agricultural purposes. There is no restriction in historic consents on the depth of mineral workings. The double deposit of minerals causes difficulties in achieving an efficient progressive restoration scheme due to the depth of the lower seam compared to the upper seam and the differing extraction rates. Whilst the working scheme has been amended in previous consents, the imbalance in working the two deposits remains. Planning permission 18/00437 allowed the importation of some material to address this. However, it has become apparent that further material is required to practically implement the restoration, irrespective of the design of the proposed restoration scheme. The materials would comprise clean and uncontaminated soils, subsoils and stones and a Materials Management Plan is proposed by the applicant, which would be updated every two years. Materials imported by road would utilise existing inbound truck movements to the quarry. The applicant has indicated that potential one third of the material required would be brought in by barge.
- 11.8 The applicant has explored alternatives to the proposed variation of conditions. The "do nothing" option would result in a very poor restoration with slab-sided and unsafe water bodies as suitable soils cannot currently be brought onto site. The option of importation of soils to deliver the approved restoration scheme has been considered but discounted due to the significant resultant water body. An enhanced restoration scheme is put forward which would include shallower water bodies and a suitable balance between water bodies, landscape and ecology. It would also have the benefit of aligning with the proposals for the Fawley Waterside development [SANG and habitat compensation and enhancement areas].
- 11.9 In relation to the need for additional time for working and restoring the quarry, the applicant has put forward that the additional period will allow the operator to catch up with what would otherwise have been the same operations which have been slowed due to the pandemic, economic factors, the nature of the mineral working as outlined above and the need for preparation of an environmental statement. The need for additional time to ensure an enhanced restoration scheme is accepted. The amended phasing would allow delivery of restoration in a manner which would also ensure the delivery of the requirements of the Fawley Waterside development as it would allow quicker delivery on the eastern side of the site.
- 11.10 In relation to the proposed further importation of material, the Environment Agency has no objection subject to restriction to clean and uncontaminated soils, subsoils and stones. NFDC

Environmental Protection endorse this and the submission of a Materials Management Plan and Construction Environmental Management Plan, which would be secured by condition.

- 11.11 Section 17 of the NPPF states that it is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings and energy and goods that the country needs. It sets out that, when determining planning applications, great weight should be given to the benefits of mineral extraction, including to the economy. Mineral planning authorities should also ensure that there are no unacceptable adverse impacts on the natural and historic environment, human health or aviation safety; cumulative effects are taken into account; and any unavoidable noise and dust emissions are controlled, mitigated or removed at source with appropriate noise limits for extraction in proximity to noise sensitive properties. Restoration and aftercare should be provided for at the earliest opportunity, to be carried out to high environmental standards. Policy 9 of Hampshire Minerals and Waste Local Plan requires restoration of minerals and waste developments to be in keeping with the character and setting of the local area and to contribute to the delivery of local objectives for habitats, biodiversity or community use which are consistent with the development plan. Overall, the principle of the proposed variation to conditions would accord with the NPPF and Policy 9 and is accepted subject to conditions and to consideration of the other impacts set out below.

Impact on the Landscape

- 11.12 The proposed revised restoration scheme aligns with that proposed within planning application 19/00365. Clarifications and amendments have been provided in relation to the proposed materials to be imported (chalk would not be used) and the proposed landscape features as requested by the Authority's Landscape Officer. The revised restoration scheme would provide a high quality landscape within the National Park which would also provide environmental enhancements through the nature conservation areas in accordance with Policy SP7. The proposals would allow the provision of SANG through planning application 19/00365. A Landscape and Environmental Management Plan (LEMP) is proposed within the environmental statement as part of the long-term management strategy for the habitats and this would be conditioned.

Ecological Impacts

- 11.13 The impact of the proposal on ecology has been assessed through the environmental statement and shadow habitat regulations assessment. The proposed revised restoration scheme aligns with that contained within planning application reference: 19/00365 and will bring ecological benefits. The Authority's Ecologist has been consulted and has emphasized the

need for monitoring and professional ecological input to guide the restoration stages to ensure iterative approaches to micro-design and implementation to ensure the target condition and habitats are achieved. There is no objection on ecological grounds subject to the securing of a Construction Environmental Management Plan (CEMP) and LEMP which should include details of ecological design, monitoring and feedback and consultation to enable target habitats to be achieved.

Heritage Impacts

- 11.14 The impact of the proposal on the listed buildings at Ower Farm and Badminton Farm has been assessed in the environmental statement. The proposed revised restoration scheme aligns with that contained within planning application 19/00365. It is assessed that the proposed restoration scheme would have no change to the significance of Ower House and a minor beneficial impact on the setting of Badminton Farm.

In respect of the impact on archaeology, the environmental statement identifies an area referred to as an archaeological conservation zone which was an exclusion zone with high archaeological potential. The Authority's Archaeologist endorses the proposed mitigation measures set out and has no objection subject conditions to agree an iterative programme of archaeological work. The proposals would therefore accord with Policy SP16 of the adopted Local Plan.

Highway Considerations

- 11.15 The proposals would not increase the overall number of vehicle movements required in order to complete the quarry operations in the extant permission and restore the landscape. However, the vehicle movements would take place over an extended time period (five years). The applicant has indicated that there is an average of 38 truck movements per day (Monday to Saturday). The applicant has also indicated that 30% of the material required to restore the quarry is anticipated to be transported via barge and this could therefore reduce vehicle movements. Hampshire Country Council as Highway Authority has been consulted and has no objection. There is no objection to the proposals on highway grounds.

Impact on Neighbouring Amenity

- 11.16 An objection has been received from a neighbour to the proposed extended period for quarry working. Whilst it is recognised that there would be an additional impact during this period, this would be mitigated through the re-imposition of planning conditions in relation to noise, dust control and measures contained in the CEMP.

Relationship with Applications for Fawley Power Station

- 11.17 Consideration has been given to the relationship of the proposals to planning applications for the redevelopment of the Fawley Power Station site (reference: 19/00365 and NFDC reference: 19/10581). New Forest District Council and Fawley Waterside Limited have been consulted. The application is broadly consistent with the approved design and phasing details for the Fawley Power Station site and there would be a need to approve further landscape details for the development parcel to the east of the B3053 through the expected reserved matters applications that would follow any outline planning permission for the former power station redevelopment.

Other

- 11.18 The environmental statement has also assessed the impact of the proposal on water quality. The potential for anthropogenic pollution to groundwater will reduce with the restoration of the scheme and the completion of quarrying. The importation of restoration material will be controlled through the Material Management Plan. It is expected that the planned restoration will have no adverse impact on groundwater quality with the implementation of the Material Management Plan.
- 11.19 It is appropriate and necessary to review the other conditions attached to planning permission 18/00437 in order to ensure that they are fit for purpose and up to date with correction where and additional conditions where necessary. This has been undertaken as part of the recommendation.

Conclusion

- 11.20 The principle of the proposed variation to conditions would accord with the NPPF and Policy 9 of the Hampshire Minerals and Waste Local Plan. The proposed revised restoration scheme aligns with that proposed within planning application 19/00365 and would provide a high quality landscape with ecological benefits. There is no objection to the proposals on highway grounds and mitigation measures in relation to noise, dust control, impacts on ecology and to control the quality of imported material would be conditioned. Permission is recommended subject to conditions.

12. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

1. The development hereby permitted other than the remaining aftercare requirements of condition 19 of this permission, shall

cease on or before the 31 December 2031 and the site shall also be restored in accordance with the scheme approved under condition 17 of this permission by 31 December 2031 or such longer period as the Mineral Planning Authority may approve in writing.

Reason: In the interest of local amenity.

2. No extraction shall take place except in accordance with the approved drawings: 0920/PO/1 v11 and 3.4 P13094-L-7002 unless otherwise approved in writing by the Mineral Planning Authority.

For the avoidance of doubt:

No extraction/excavation of material (including the removal of topsoil and overburden) from area E (Stage 3) shall take place until extraction/excavation from areas C and D have ceased and restoration works have commenced.

No extraction/excavation of industrial sand from the lower seam in area B (Stage 3) shall take place until extraction/excavation from area A has ceased and restoration works have commenced.

No extraction/excavation of industrial sand from the lower seam in area F (Stage 4) shall take place until extraction/excavation of the remainder of the site has ceased and the restoration works have commenced and areas C, D and the area of old silt ponds have been fully restored.

Reason: In the interests of local amenity.

3. Not later than six months from the cessation of all extraction, or such other date as the Mineral Planning Authority may agree in writing that they are no longer required in connection with this planning permission (which is ever is the sooner), all plant and machinery, foundations, hardstandings and access roads no longer required in connection with the working, restoration or future use of the site as a quarry, shall be removed from the site and the land restored in accordance with condition 17 of this permission.

Reason: In the interest of local amenity.

4. Unless otherwise agreed in writing with the Mineral Planning Authority, no operations authorised or required by this permission, except for the movement and loading of HGV's, shall be carried out and plant shall not be operated other than during the following hours: between 07:00 and 18:00 hours Mondays to Fridays; and 07:00 and 13:00 hours on Saturdays.

Outside of these permitted hours only the movement and loading

of HGV's in the operational/stockpiling area as shown on drawing nos: 0920/CO/2 v5 and 0920/PO/1 v11, shall take place between the following hours: 06:00 - 07:00 and 18:00 - 19:00 Mondays to Fridays and 06:30 - 07:00 on Saturdays.

No operations shall take place on Sundays or recognised public holidays.

Reason: In the interests of local amenity.

5. No materials from sources outside the site [other than sands and gravels from Hythe Quarry (as identified on drawing RC1 b) and marine dredged sands and gravels (as landed on the adjacent wharf as identified on drawing RC1 b), shall be imported to the site for processing, sorting, sale, backfilling or use in the plant hereby approved other than cement for the batching plant, or clean and uncontaminated natural soils, subsoils and stones for restoration purposes, unless otherwise agreed in writing by the Mineral Planning Authority.

Reason: In the interests of local amenity.

6. Any above ground oil/chemical storage tank/container and associated pipework shall be sited and bunded in a manner so as to retain any spillage.

Reason: In the interest of local amenity.

7. The Dust Monitoring and Control Scheme approved on 24 November 1999 shall be implemented for the duration of the development unless otherwise agreed in writing by the Mineral Planning Authority.

Reason: In the interests of local amenity.

8. No mineral extraction shall take place within five metres of any tree or tree group or within the crown spread whichever is the greater or within five metres of any hedgerow. No soil storage shall take place under the crown canopy of any tree or tree group or within two metres of any hedgerow.

Reasons: In the interests of local amenity.

9. Within the approved restoration (condition 17) and aftercare (condition 19) schemes, any trees or plants which die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season by others of similar size and species unless otherwise agreed in writing with the Authority.

Reason: In the interests of local amenity.

10. Any gates provided on the main access road shall be set back a minimum distance of 15 metres from the edge of the carriageway of the adjoining highway.

Reason: In the interests of local amenity and highway safety.

11. All plant machinery shall be silenced at all times in accordance with the manufacturers' recommendations.

Reason: In the interests of local amenity.

12. For soil stripping, bund formation and restoration, which are temporary operations, the noise levels shall not exceed 70 dB(A) LAeq 1 hour Free Field as measured at the nearest boundary to the site of any noise sensitive property. Such temporary operations which exceed the normal noise criterion shall be limited to a period of 8 weeks in any twelve month period. The Authority shall be notified in writing within one week of such operations commencing.

Reason: In the interests of local amenity.

13. The Equivalent Continuous Noise Level LA eq 1 hour Free Field at the nearest boundary to the site of each of the noise sensitive properties listed below shall not exceed the following noise levels due to operations on the site between the hours of 07:00 - 19:00 Monday to Friday and 07:00 - 13:00 on Saturdays:

Badminton Farm	50 dB(A) LAeq 1 hour
Badminton Cottages	50 dB(A) LAeq 1 hour
Fields Heath Cottage	50 dB(A) LAeq 1 hour
Engineering Workshop	55 dB(A) LAeq 1 hour
Wildcroft	46 dB(A) LAeq 1 hour
The Cottage	48 dB(A) LAeq 1 hour
Fernside	48 dB(A) LAeq 1 hour
Foresters Cottage	47 dB(A) LAeq 1 hour
Ower House	50 dB(A) LAeq 1 hour
Ower Farm	52 dB(A) LAeq 1 hour
Holloway	52dB(A) LAeq 1 hour
The Moorings	55dB(A) LAeq 1 hour

Reason: In the interest of local amenity.

14. The Equivalent Continuous Noise Level LA eq 1 hour Free Field at the nearest boundary of the nearest noise sensitive properties to the site shall not exceed 42 dB LAeq 1 hour (free field) between the hours of 06:00 and 07:00 Mondays to Fridays and 06:30 and 07:00 on Saturdays.

Reason: In the interest of local amenity.

15. The Noise Monitoring Regime approved on 24 November 1999 shall be implemented for the duration of the development. The results shall be maintained for the life of the development and made available to the Minerals Planning Authority on request.

Reason: In the interests of local amenity.

16. A. No demolition/development shall take place/commence until an iterative programme of archaeological work has been agreed, in line with that proposed in section 9.6 of the Environmental Statement (Volume 1 - Main Text) and additional recommendation stated above, including a Written Scheme of Investigation that has been submitted to and approved by the Local Planning Authority in writing. The scheme shall include an assessment of significance and research questions; and:
1. The programme and methodology of site investigation and recording
 2. The programme for post investigation assessment
 3. Provision to be made for analysis of the site investigation and recording
 4. Provision to be made for publication and dissemination of the analysis and records of the site investigation
 5. Provision to be made for archive deposition of the analysis and records of the site investigation
 6. Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.
- B. No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition (A).
- C. The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: In the interests of archaeology.

17. The site shall be restored in accordance with restoration scheme 3.4 P13094-L-7002 unless otherwise agreed in writing by the Mineral Planning Authority.

Reason: To secure satisfactory restoration of the site.

18. Unless otherwise agreed in writing by the Mineral Planning Authority, restoration shall only take place in accordance with the recommendations for ecological mitigation and enhancement which are set out in Chapter 12 of the Environmental Statement. The measures shall be implemented and retained at the site in perpetuity.

Reason: To ensure an acceptable impact upon ecology and biodiversity and in accordance with Policies SP5 and SP6 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

19. Within 6 months of the date of this permission, an aftercare scheme shall be submitted to and approved in writing by the Mineral Planning Authority. The aftercare scheme shall include the steps necessary to maintain each phase/ area of the land restored under condition 17 to the required standard. Aftercare of each restored phase/area shall take place for a period of 5 years and only in accordance with the approved aftercare scheme.

Reason: To secure satisfactory restoration of the site.

20. Prior to the importation of any clean and uncontaminated natural soils, subsoils and stones for restoration purposes and within 3 months of the date of this decision, a Materials Management Plan shall be submitted to and approved in writing by the Mineral Planning Authority.

Restoration shall take place only in accordance with the approved Materials Management Plan.

Reason: To secure satisfactory restoration of the site.

21. Within 3 months of the date of this decision, an updated Construction Environmental Management Plan shall be submitted to and approved in writing by the Mineral Planning Authority.

Development shall take place only in accordance with the approved Construction Environmental Management Plan.

Reason: In the interests of amenity and to ensure an acceptable impact on ecology.

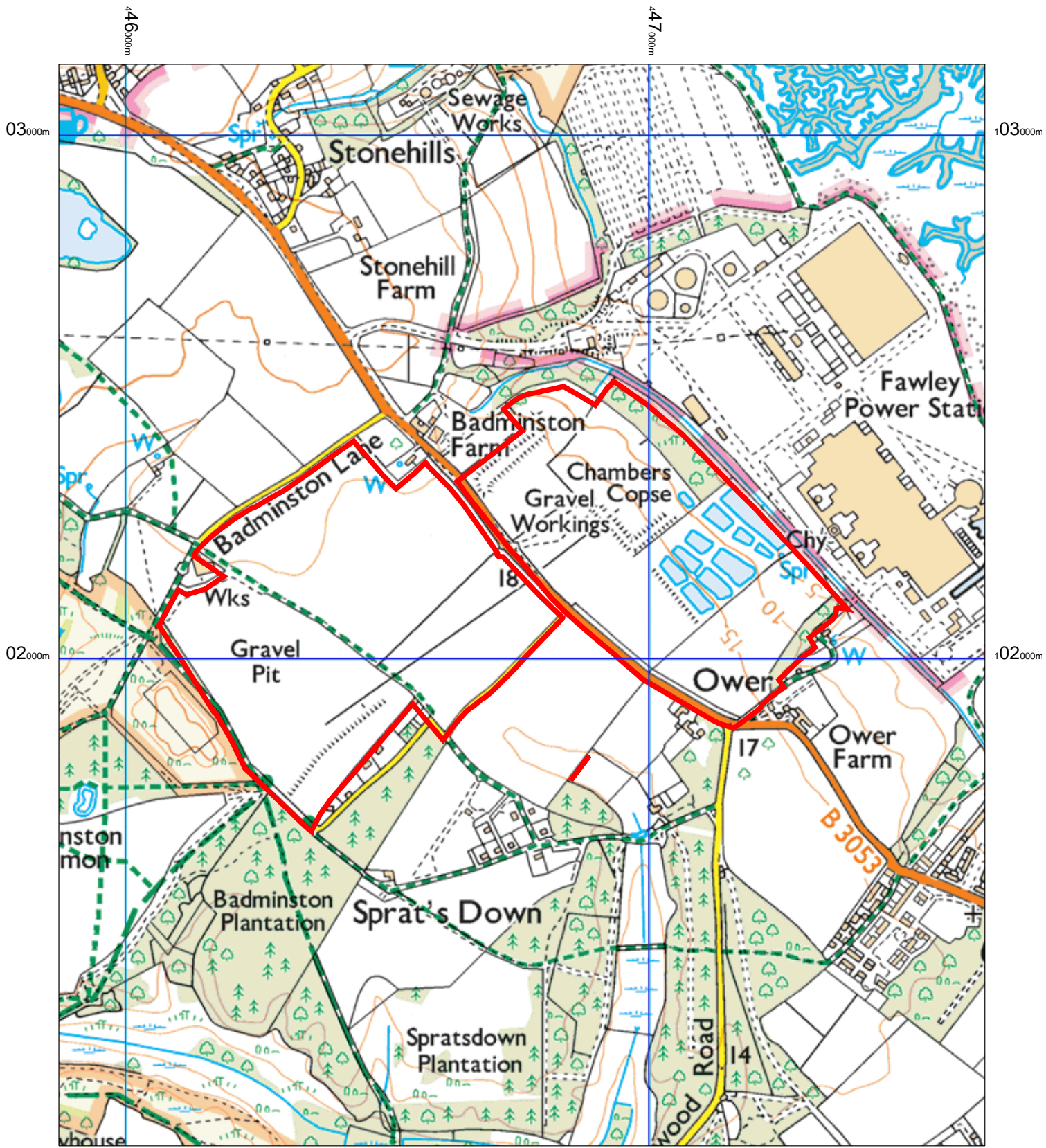
22. Within 3 months of the date of this decision, a Landscape and Ecological Management Plan shall be submitted to and approved in writing by the Mineral Planning Authority. The Plan shall include details of the proposed final levels of the restoration scheme and details of a long-term management strategy for managing the habitats on site including ecological design, monitoring and feedback.

Development shall take place only in accordance with the approved Plan.

Reason: To secure satisfactory restoration of the site.

23. No external lighting shall be installed on the site unless details of such proposals have been submitted to and approved in writing by the Mineral Planning Authority.

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



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

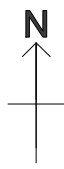
Tel: 01590 646600 Fax: 01590 646666

Date: 08/06/2022

Ref: 21/01048

Scale: 1:10000

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Application No: 22/00124/FULL Full Application

Site: Brockenhurst Village Hall, Highwood Road, Brockenhurst, SO42 7RY

Proposal: Installation of fence around games arena; reduction to height of existing fence to South of site

Applicant: Ms Neller, The Brockenhurst Village Trust

Case Officer: Ann Braid

Parish: BROCKENHURST

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Defined New Forest Village

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP2 General development principles
 SP17 Local distinctiveness
 SP6 The natural environment
 SP39 Local community facilities

4. SUPPLEMENTARY PLANNING GUIDANCE

Not applicable

5. NATIONAL PLANNING POLICY FRAMEWORK

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

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Brockenhurst Parish Council: Recommend refusal.

8. CONSULTEES

8.1 Environmental Protection (NFDC) Support.

9. REPRESENTATIONS

- 9.1 Six letters of support received: The fence will enable closing times to be enforced, the existing fence does not prevent balls from going into gardens, or people causing noise nuisance by using the MUGA out of hours, hours of use should be conditioned and the proposed mesh fence is suitable, similar fencing has been approved previously, a noise management plan is required, a condition to restrict hours of use should be imposed and more boundary planting.
- 9.2 Two letters commenting: There is a need to enforce closing times, limit hours of use and enforce a noise management plan. One additional letter providing details of out of hours use and the problems associated with this.

10. RELEVANT HISTORY

- 10.1 Creation of (MUGA) multi use games area; 1 to 3 metre high perimeter fencing; 3 metre high free standing ball protection fence; Hang Out shelter; Outdoor table tennis and Cycle rack (17/00640) granted on 25 September 2017
- 10.2 Creation of multi use games area; 3 metre high mesh fence (16/00868) granted on 5 December 2016

11. ASSESSMENT

- 11.1 The site comprises an outdoor multi-use games arena (MUGA) located between the village hall car park and the surgery on Highwood Road. The site is within the defined village of Brockenhurst. To the south of the site are the rear gardens of the houses in Tattenham Road and to the north, on the opposite side of Highwood Road, lie the rear gardens of the houses in Partridge Road.
- 11.2 Consent is sought for revisions to the fencing which encloses the MUGA. The proposed fencing would comprise three metre high green metal mesh fencing, with an additional two-metre cantilever at the end nearest the Tattenham Road properties. The issues to assess are the visual impact of the proposal and whether the proposal would be justified in the light of problems associated with the use of the facility since it opened to the public.
- 11.3 When consent was granted for the MUGA in 2017, it was not subject to any conditions relating to hours of use. The installation of the fencing is to secure the site and allow it to be locked out of hours. This would prevent antisocial use of the facility late into the evenings and a condition to control the use of the MUGA may be imposed. The condition would require the approval of a noise management plan which would include hours of use. Such control

would have the support of the Environmental Protection Officer at New Forest District Council.

- 11.4 The three metre high fencing would have no greater impact than that which is usually found around a tennis court. It is proposed to be a green mesh finish which would be acceptable in visual terms. The extra height of the cantilever section is required to prevent balls reaching the neighbouring gardens. It is clear from the correspondence that, along with noise, this has been an ongoing problem for neighbours and that the existing five metre fence does not prevent the issue. For this reason, the cantiliver from the existing high fence is to be removed and attached to the three metre fencing. The extra height is justified as a solution to this problem and although the higher section would have some additional impact in the locality, it would not be unduly intrusive, or erode the existing character of the site to the extent that it would be contrary to Policies DP2 and SP17 of the Local Plan.

12. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

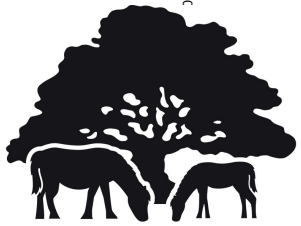
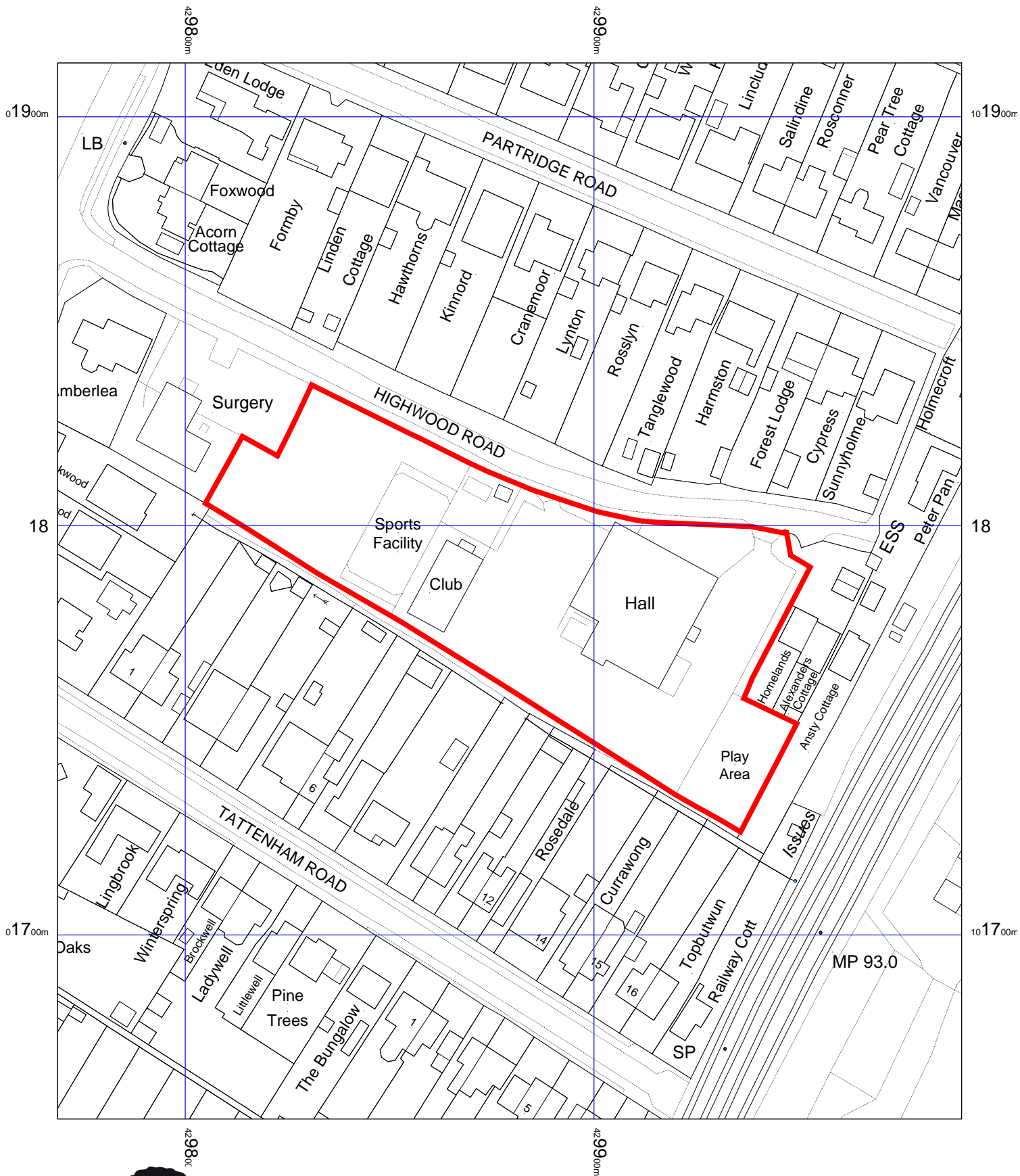
- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 Development shall only be carried out in accordance with drawing numbers: 001 2022, 2022/1 and 2022/5. 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, and DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).
- 3 Within three months of the installation of the new fencing, a noise management plan for the use of the MUGA (to include hours of operation) shall be submitted to and approved in writing by the National Park Authority.

The use of the MUGA shall only be in accordance with the management plan approved unless otherwise agreed in writing by the National Park Authority.

Reason: To safeguard the amenities of nearby residential properties in accordance with Policy DP2 of the New Forest National Park Local Plan 2016-2036 (August 2019)



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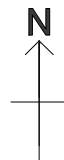
Tel: 01590 646600 Fax: 01590 646666

Date: 01/06/2022

Ref: 22/00124

Scale: 1:1250

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Application No: 22/00144/FULL Full Application

Site: Tree Tops, Hale Road, Hale, Fordingbridge, SP6 2NW

Proposal: Replacement dwelling; 1No. outbuilding; hardstanding; demolition of existing dwelling (AMENDED PLANS)

Applicant: Mr Phillips & Mr & Mrs Kennedy

Case Officer: Liz Marsden

Parish: HALE

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
 DP35 Replacement dwellings
 SP17 Local distinctiveness
 DP18 Design principles

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

Hale Parish Council: Recommend refusal on the grounds that:

- appears that the floor area has been extended beyond policy limits and floorspace above garage not been included in the overall calculations
- garage very dominant to neighbours and the streetscene
- doesn't meet policy design principles as it overlooks neighbour to the

south and promotes shading to the north

- height of the dwelling will appear dominant in relation to neighbours
- although the existing dwelling is not of exceptional aesthetic or historic merit its current style is within keeping of the neighbouring properties and the scale and height of the proposed development would have a high impact on the street scene character and appearance of the surrounding area.

Following receipt of amended plans the Parish have commented further that whilst it is recognised that the amended plans have addressed some of the areas of concern for the neighbours, e.g. overlooking, the plans will still result in a property which will dominate the local landscape.

8. CONSULTEEES

- 8.1 Ecologist: No objection subject to a condition ensuring that work is to be carried out in accordance with the supplied bat mitigation strategy.

9. REPRESENTATIONS

- 9.1 Six letters of objection to the originally submitted plans from, or on behalf of three households, on the grounds of:

- inaccuracies in the supporting design statement
- garage too large and prominent and would be out of keeping with the area and contrary to policy
- massing and scale of the proposed house, with a 2m higher ridge height, does not reflect that of adjacent properties
- carbon footprint would be increased by the demolition and rebuilding of a house
- visual intrusion in the outlook from neighbours
- loss of privacy to neighbouring properties through overlooking from large windows
- a number of recent applications resulting in a piecemeal approach to planning that may result in more being granted than if submitted altogether
- overdevelopment of the site
- loss of light to adjacent properties
- potential loss of trees and hedgerows
- contrary to floorspace policies

- 9.2 Following submission of amended plans, three further letters received to the effect that the amendments had not overcome previous concerns and that the proposals fail to meet design principles, will be dominant in the streetscene and contrary to policy in terms of the floor space of the new dwelling.

10. RELEVANT HISTORY

- 10.1 Outbuilding to house swimming pool (21/00388) granted on 28 June 2021
- 10.2 Application for Certificate of Lawful Development for proposed conversion of attached garage to annexe (20/00657) - certificate issued (permitted development) on 10 November 2020
- 10.3 Addition of a bedroom and sitting room (88/38331) granted on 01 July 1988

11. ASSESSMENT

- 11.1 Tree Tops is a detached bungalow with a shallow pitched roof, set well back from the road frontage of a spacious plot which backs onto an area of woodland. This part of Hale Road is characterised by detached properties of a variety of size and design, including one and two-storey dwellings and bungalows with an element of accommodation in the roof space. A recent application for a Lawful Development Certificate (LDC) has confirmed that the conversion of the attached triple garage to the rear of the dwelling to an annexe would be permitted development, though this has not been implemented to date. In addition, a pool building has been permitted in the rear garden which has yet to be constructed. The site is not located within a conservation area.
- 11.2 The application seeks permission to replace the existing bungalow with a new dwelling, on a smaller footprint, but with a higher roof to facilitate accommodation at first floor level. It would also replace the existing flat roof of the garage block to the rear (east) of the bungalow, with a pitched roof. It was originally proposed to construct a triple garage/carport in the front garden, with external stairs leading to a home office space in the roof space, but amended plans have been received which reduce the height of the ridge and remove the staircase and office accommodation. A bin store is to be erected to the north side of the dwelling. The key considerations are:
- The implications for Policy DP35;
 - The design of the proposals and whether they would be appropriate to the curtilage of the dwelling;
 - Whether the outbuilding is in accordance with policy DP37;
 - The impact on the streetscene and character and appearance of the surrounding area; and
 - Any impact on neighbour amenity.
- 11.3 With regard to Policy DP35, this seeks to ensure that replacement dwellings are of a similar footprint, scale and size as the existing dwelling. In this case, the property, which had a floor area of around 144 sqm in 1982 and is therefore not a small dwelling, has been previously extended to the policy limit allowed under

Policy DP36. The current proposal, whilst it would result in a different form of building, has the same floorspace as the existing dwelling and would not conflict with this policy. It should be noted that the floor area of the annexe, as proposed, remains identical to that as shown in the LDC application, albeit in a slightly different layout. The area of the annexe has been included for completeness and in order to obtain consent for the new pitched roof that is proposed to replace the flat roof.

- 11.4 The point has been raised is that the existing garage has not yet been converted into residential accommodation and therefore, if it is included in the current application, this would result in a further increase in habitable floor area. By obtaining a lawful development certificate for the conversion, the applicants have clearly expressed the intention of doing so and this would be highly likely should the current application be refused. This represents a tenable “fallback position” which is a material planning consideration in the determination of the application. The current application seeks permission for the same habitable floor area that already exists plus that which is capable of being lawfully implemented. In these circumstances, it is not considered that it would be possible to sustain a policy objection to the proposal on the grounds of its floor area. However, since the property has been extended to the policy limit, it is considered reasonable and necessary to remove permitted development rights to ensure the dwellinghouse remains of a scale which is proportionate and to ensure a range in the mix and balance of housing stock across the National Park, in accordance with Policy DP35 of the Local Plan.
- 11.5 The design of the proposed replacement dwelling is more contemporary in appearance than the existing bungalow but, notwithstanding the accommodation at first floor level, retains the characteristics of a single storey property. The building that it replaces is not of particular design merit and it is not considered that the proposal would be unduly out of keeping. In terms of overall site coverage, the footprint of the dwelling would be decreased by the proposal and even with the proposed garage in the front garden, the level of built form across the site would not be significantly greater than the existing situation. The proposal would not therefore result in the overdevelopment of the site in accordance with Policy DP2.
- 11.6 The proposed replacement dwelling is in the same location on the site as the existing and at a distance from the road where it would not be unduly intrusive in the streetscene. Whilst the immediately adjacent properties are single storey in height, they are set further forward on their plots and the increase in height of the central section of the proposed dwelling would not appear to be disproportionate to the scale of those properties. Furthermore, the area as a whole is characterised by a variety of types and sizes of dwelling, including chalet style and full two-storey properties and it

is not considered that the proposal would be out of keeping with or detrimental to the character and appearance of the surrounding area. The garage would be more noticeable due to its location in the front garden, but it is still set some metres from the road frontage, along which there is a mature hedge, at roughly the same distance as a similarly sized garage that has been permitted on the property to the south.

- 11.7 Concerns have been raised about the adverse impact of the proposals on the residential amenity of occupants of neighbouring properties through loss of light, privacy and outlook. In terms of light, the primary impact would be on 'St Mary's' to the north of the site, which has a window in its southern side elevation. This bungalow is located around 8m from the boundary of the application site, defined by a tall (3m) hedge. The front wing of the existing dwelling extends forward along the full width of St Mary's at a distance of around 14m to the highest part of the ridge (4m). The proposed front section of the new dwelling, does not extend so far forward and is only 0.3m higher at the ridge and it is not considered that this would result in any increased shading or loss of light. Similarly the garage has been reduced in height to 4.5m and it located so that there would be a gap between the two buildings, in line with the side elevation of St Mary's, reducing the potential for additional shading. It is recognised that the ridge of the highest part of the new dwelling is a full 2m above the existing, bungalow, but this would be set adjacent to the existing garage in the neighbours garden and would not have a direct impact on the light to the house or its garden. The nearest part of the other neighbour to the north (Dorset View) is at a distance of around 25m away and would not be unduly affected. To the south, the relationship of the proposal with the adjacent property (Delmor) is not altered and the increase in the ridge height would not result in increased shading. Whilst the added height may be apparent in views from the rear of the property, it would be partially screened by the car port and garage that extend along the boundary between the two properties and it is not considered that it would have a significant or adverse impact on the outlook from the amenity area to the rear of Delmor.
- 11.8 In terms of potential loss of privacy through overlooking from the proposed first floor windows, this would relate particularly to the full length window/doors serving the dormer in the rear elevation. The position of this window is such that there would be no possibility of views of the area immediately to the rear of Delmor, generally considered to be the most sensitive in terms of residential amenity. Views towards the rear of the garden would also be restricted by the depth of the eaves (0.4m) which would serve to channel the outlook down the applicants own garden, rather than to the side. Similarly the front dormers would direct views toward the road rather than to either side. The rooflights on the rear elevation serve bathrooms and a condition ensuring that these are obscure glazed is appropriate. It is not therefore

considered that the proposal would result in loss of privacy or that a reason for refusal could be sustained on this basis.

- 11.9 A comprehensive ecological survey has been undertaken and identifies the presence of bat roosts within the dwelling and that a European Protected Species licence will be required. The Authority must therefore be satisfied that the three tests for obtaining such a licence would be met. The first and second tests relate to the work being in the public interest (this is met by its being in compliance with adopted Policy) and there being no satisfactory alternative (the development is the appropriate means of meeting the homeowner's requirements). The third test relates to the maintenance of the conservation status of the population of protected species. The Authority's Ecologist confirms that if the works are carried out in accordance with the recommendations of the ecology report and the requirements of a licence, this test is capable of being met. A condition to secure the recommendations of the ecological report and requiring a post development report to be submitted to the Authority are appropriate conditions. The proposed development would therefore be in accordance with Policy SP6 as it relates to protected species. The report also sets out enhancement measures to be undertaken which, subject to the implementation of these measures, and which can be controlled by means of appropriate conditions, will improve the biodiversity of the area in accordance with the Environment Bill.
- 11.10 The proposed development would not exceed the floor area that already exists on the site. The development is capable of being accommodated on the site without resulting in overdevelopment of the site or adverse impact on the character and appearance of the surrounding area, neighbour amenity or ecology. It is therefore in accordance with Policies DP2, SP6, SP17, DP18, DP35 and DP37 of the Local Plan 2016-2036.

12. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 Development shall only be carried out in accordance with drawing nos:
- 162-02-201 - Location and existing site plan

- 163-02-205 Rev B - Proposed site plan
- 163-02-206 Rev A - Proposed roof plan
- 163-02-207 Rev B - Proposed ground and first floor plans
- 163-02-208 Rev A - Proposed front and side elevations
- 163-02-209 Rev B - Proposed rear and side elevations
- 163-02-210 Rev A - Proposed streetscene and section
- 163-02-211 Rev A - Proposed garage plans

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

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

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

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

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

- 4 The velux rooflights serving ensuite bathrooms and shown on the rear (eastern) elevation hereby approved shall at all times be obscurely glazed.

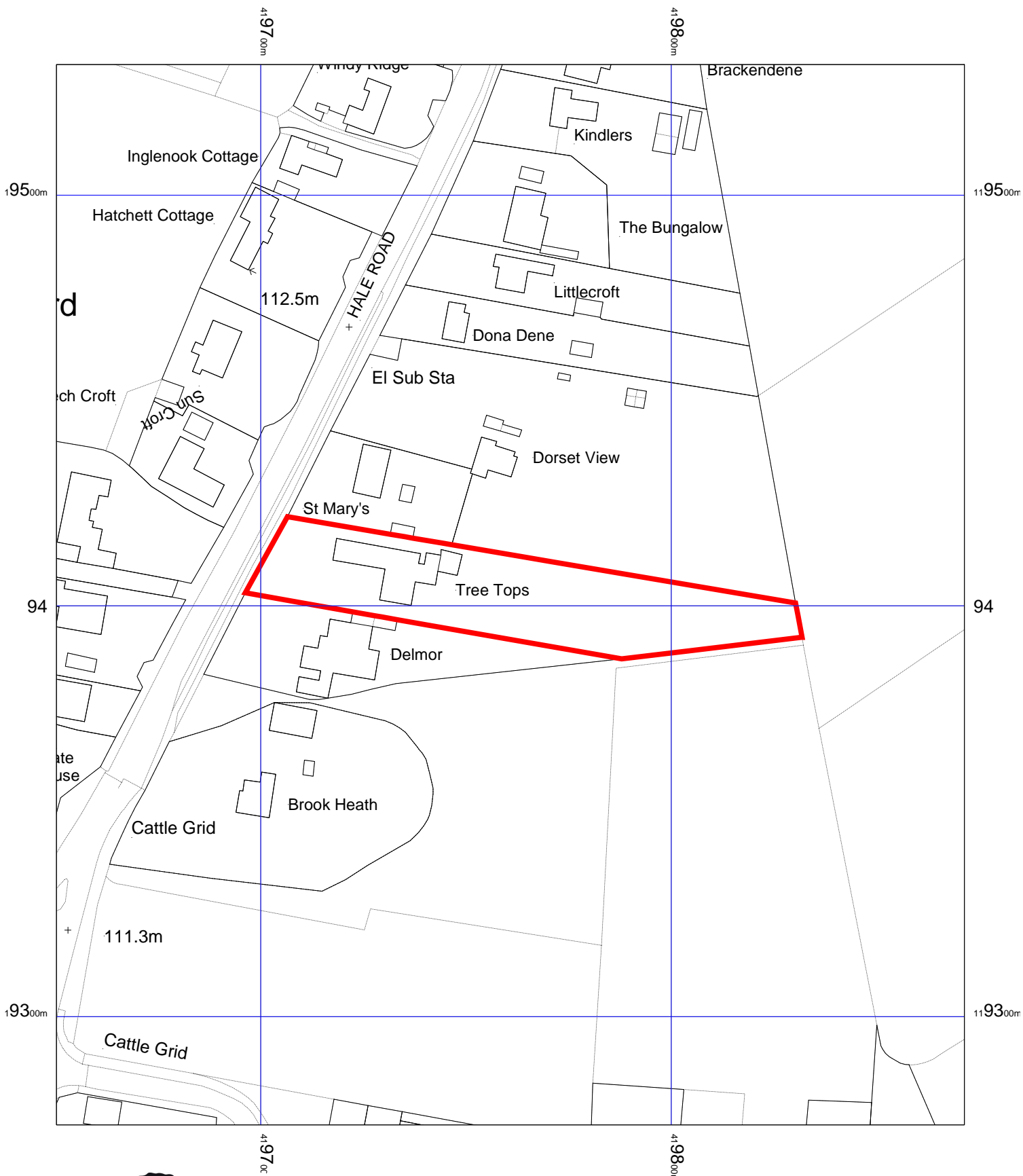
Reason: To safeguard the privacy of the adjoining neighbouring properties in accordance with Policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 5 Unless otherwise agreed in writing by the National Park Authority, development shall only take place in accordance with the recommendations for ecological mitigation and enhancement which are set out in the submitted Bat Mitigation Strategy (4 Woods Ecology, dated December 2021) hereby approved. Following the completion of the works, a short report confirming that they have been completed in accordance with the above recommendations shall be submitted to (and approved by) the National Park Authority. The specified measures shall be implemented and retained at the site in perpetuity.

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

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

Reason: To ensure the dwelling remains of a size which is appropriate to its location within the countryside and to comply with Policies DP35 and DP36 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).



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

Tel: 01590 646600 Fax: 01590 646666

Date: 08/06/2022

Ref: 22/00144

Scale: 1:1250

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Application No: 22/00222/FULL Full Application

Site: Little Sequoia, Hazel Grove, Ashurst, Southampton, SO40 7AJ

Proposal: Installation of external lift shaft; replacement conservatory roof

Applicant: Mr Clarke

Case Officer: Carly Cochrane

Parish: NETLEY MARSH

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

No specific designation

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

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

4. SUPPLEMENTARY PLANNING GUIDANCE

Not applicable

5. NATIONAL PLANNING POLICY FRAMEWORK

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

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Netley Marsh Parish Council: Recommend permission - believe there are mobility issues which make this a special case and it is understood the applicant has made amendments since the original application.

8. CONSULTTEES

No consultations required

9. REPRESENTATIONS

9.1 None received

10. RELEVANT HISTORY

- 10.1 Two storey extension; demolition of existing conservatory (21/00733) refused on 19 October 2021
- 10.2 Conservatory (Revised design to application ref 93865) Application for a non-material amendment of planning application 12/97797 and appeal reference APP/B9506/D/12/2188225 (21/00252) objections raised on 12 April 2021
- 10.3 Conservatory (Revised design to application ref 93865) (12/97797) refused on 22 October 2012. Appeal allowed on 16 January 2013
- 10.4 Conservatory and utility room (Modification of Planning Permission 96588) (11/96588) deemed refusal on 27 October 2011. Appeal against non-determination withdrawn.
- 10.5 Replacement dwelling and garage (09/93865) granted on 27 April 2009
- 10.6 Replacement dwelling; garage (08/93865) refused 28 January 2009

11. ASSESSMENT

- 11.1 The application site is located to the southern side of Hazel Grove and comprises a detached, two-storey dwellinghouse which faces agricultural fields. By way of background, the site has a planning history dating back to 2008, and planning permission for a replacement dwelling was granted in 2009 (at this point the property was known as 'Holleston'). An application for a conservatory was allowed on appeal in 2012, and an application for a non-material amendment was submitted in 2021 seeking to make a number of changes to the dwelling, including the conservatory; this was not granted as the changes sought constituted development in their own right and as such were not considered to be non-material. Planning permission for a two storey rear extension was refused in October last year as it was contrary to Policy DP36.
- 11.2 This application seeks permission for an extension to provide an external lift shaft upon the rear elevation in order to facilitate

access to the first floor, and a change in the material of the conservatory roof, from a glazed structure to a solid roof.

11.3 In relation to floorspace, the property is a small dwelling and is therefore limited to a maximum of 100 square metres (sqm) of floorspace. For clarity in relation to floorspace, the original dwelling, being that which existed prior to its replacement, was a single storey structure built in 1932. The Design and Access Statement submitted as part of 09/93865, which followed the refused application 08/93865 and was made by the same applicant as this current application, sets out that "As Holleston is regarded as a 'small dwelling' the total internal floorspace of the replacement (excluding the conservatory) is restricted to 100sqm", and notes that in order to bring the proposal into compliance with policy, the internal floorspace of the dwelling would need to be reduced to 100sqm. This is then reflected within paragraph 10.3 of the Officer's Report, which confirms that the proposal was in accordance with policy. As such, it was accepted by the applicant at the time of the 2009 application that the dwelling was restricted to a maximum of 100sqm by virtue of it being a 'small dwelling'.

11.4 The conservatory permitted as part of 09/93865 was allowed as an exemption to policy at the time as it complied with the definition of a conservatory in relation to its size and the amount of glazing, and was subject to the following condition:

"The conservatory shall only be constructed to the design and materials shown on the approved plans. No alteration shall subsequently be made to the external walls and roof of the building, notwithstanding the provisions of the Town and Country Planning Act 1990 or the Town and Country Planning (General Permitted Development) Order 1995.

Reason: Permission would not normally have been granted for an addition to this property as this would have been contrary to policy NF-H4 and of the adopted New Forest District Local Plan First Alteration. The New Forest National Park Authority considers that an exception could reasonably be made for a conservatory of the size and type proposed."

A conservatory which did not meet the definition or design requirements was subsequently allowed on appeal (12/97797) however was not subject to the above exemption condition. This resulted in the dwelling having a floorspace of 120sqm. The roof design of the conservatory in-situ is neither as per 12/97797 or 09/93865. As the existing conservatory is not subject of any restrictive condition with regard its construction, in principle, it can be replaced or altered subject to there being no net increase in floorspace. The replacement roof as proposed, using slate to match that used on the main roof, is considered acceptable.

- 11.5 The proposal would add a further 2.2 sqm of floorspace. Whilst this is a small figure in itself, as the dwelling is already in excess of its respective floorspace restriction, the proposal to further increase the floorspace by virtue of the addition of the chair lift shaft would be contrary to policy.
- 11.6 The Parish Council have recommended approval of the application on the basis that they believe there to be mobility issues, making the application a 'special case'. Following the refusal of the previous application, pre-application advice was sought in relation to the creation of a lift shaft, and it was advised by officers that its installation within the footprint of the dwelling be explored fully as any external enlargement to facilitate the lift shaft would result in an increase in floorspace and any such application would not be supported. No supporting information has been submitted as part of this application which sets out that this option has been investigated.
- 11.7 Secondly, no such case for special circumstances, as mentioned by the Parish Council, has been put forward. Policy DP36 of the Local Plan does provide scope for a larger extension to be permitted under exceptional circumstances in order to meet the genuine family needs of an occupier who works in the immediate locality. A genuine family need is defined as an exceptional and unique need that could not have reasonably been anticipated at the time of the purchase of the property. The policy sets out that, for example, additional floorspace may be required in order to cater for specialist equipment and facilities required in connection with an unforeseen event, such as a severe disability arising from an accident whilst in occupation of the property; but, would not normally cater for the needs of growing families or the need to care for elderly relative, as these needs are not considered to be so 'exceptional' as to warrant a departure from the floorspace restrictions set out in this policy. It is also set out that in respect of an exceptional circumstance, the total internal habitable floorspace of an extended dwelling must not exceed 120 square metres.
- 11.8 Whilst no information has been submitted in relation to a genuine family need as part of this application, it is reasonable to presume that the requirement for the lift shaft is as per the reasoning submitted in support of the previous 2021 application. This was not considered to meet the test of a genuine family need as set out in policy, and even if a genuine need was identified, the proposed floorspace exceeds that which could be allowed on the basis that the dwelling already has a floorspace of 120 sqm. As such, it is not considered in this instance that a genuine family need exists as per policy; even if it were to be, the proposal still exceeds the maximum floorspace of 120 sqm. The proposal therefore remains directly contrary to policy.

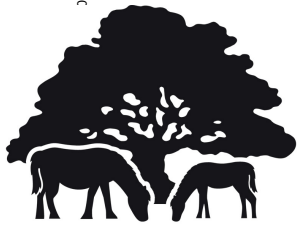
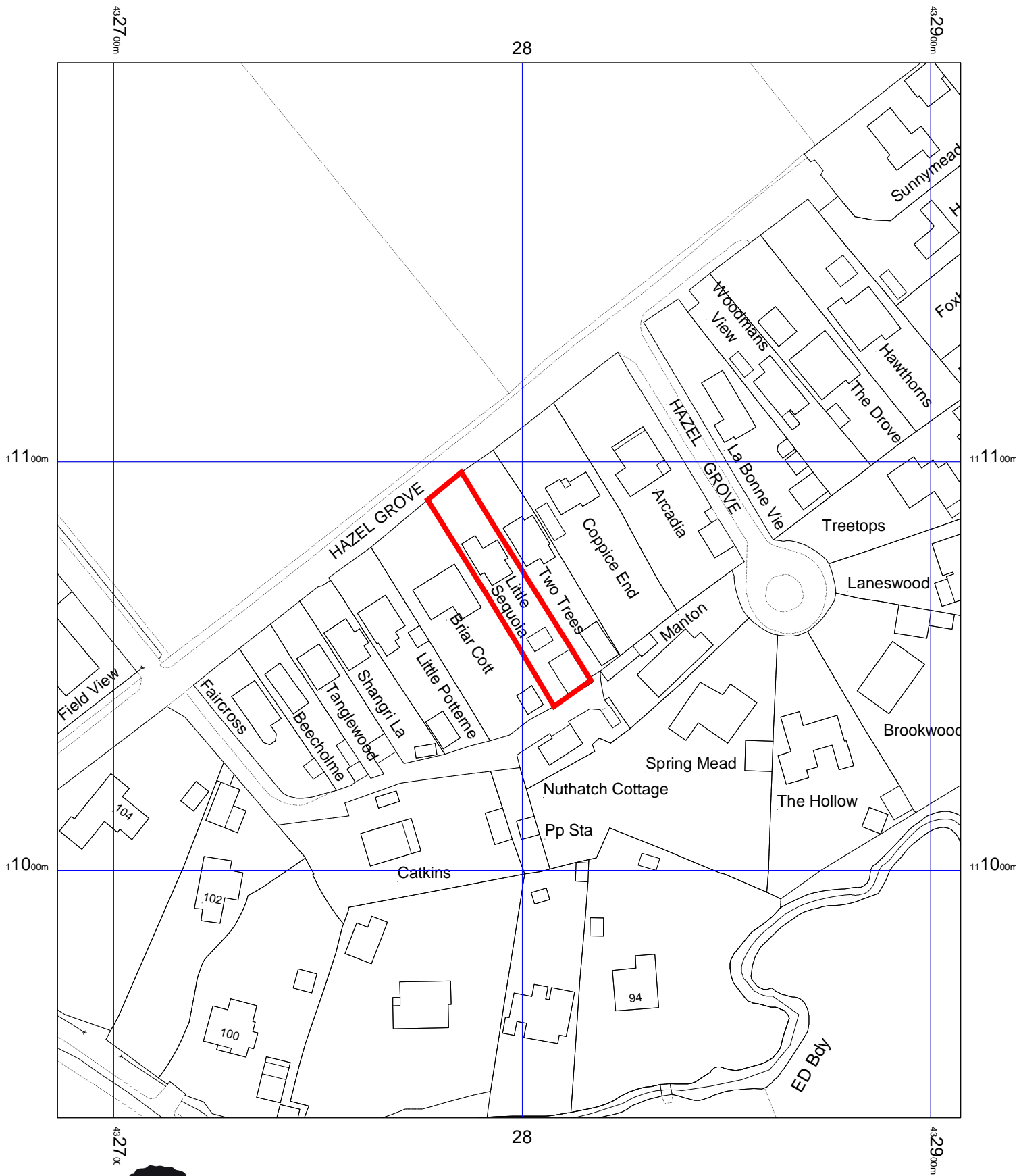
11.9 It is therefore recommended that the application be refused.

12. RECOMMENDATION

Refuse

Reason(s)

- 1 The proposal would, as a result of the proposed additional floorspace, be in direct conflict with the floorspace limitation of Policy DP36, being 100 square metres for a small dwelling. No case for an exceptional circumstance has been put forward, however the proposal would also exceed the additional floorspace limitation which such a circumstance could allow, being 120 square metres. The proposal would therefore be contrary to policies DP2, DP36 and SP17 of the New Forest National Park Local Plan 2016-2036 (2019) and the National Planning Policy Framework.



NEW FOREST
NATIONAL PARK

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

Tel: 01590 646600 Fax: 01590 646666

Date: 08/06/2022

Ref: 22/00222

Scale: 1:1250

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Application No: 22/00228/FULL Full Application

Site: Myrtle Cottage, Royden Lane, Boldre, Lymington, SO41 8PJ

Proposal: Outbuilding

Applicant: Mrs Purcell

Case Officer: Claire Woolf

Parish: BOLDRE

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

No specific designation

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP2 General development principles
SP17 Local distinctiveness
SP16 The historic and built environment
DP18 Design principles
DP37 Outbuildings
DP36 Extensions to dwellings

4. SUPPLEMENTARY PLANNING GUIDANCE

Boldre Parish Design Statement
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

Boldre Parish Council: Recommend refusal. This application for an enormous outbuilding does not enhance this non-designated Heritage Asset (SP16) or its' very rural setting adjacent to the Roydon Woods

Nature Reserve and SSSI, and adds to the suburbanising effect (SP17). It is not felt to be appropriate or sympathetic in scale and being alongside a well-used bridleway will have an adverse impact on the rural pleasure experienced by walkers and riders on this path (DP2, DP36, and DP37). There is also concern that it could be used, as is so often the case in this parish, as separate accommodation or even a new dwelling.

8. CONSULTTEES

No consultations required

9. REPRESENTATIONS

9.1 One comment from the Hampshire and Isle of Wight Wildlife Trust (owns the land adjacent) - the proposed tile roof would not have a detrimental impact on Wildlife or the Trust's interest as your neighbour. No objection.

10. RELEVANT HISTORY

10.1 2no. Outbuildings; vehicular and pedestrian access; hardstanding; demolition of 4no. outbuildings (21/00690) granted on 15 February 2022.

10.2 2no. outbuildings; vehicular and pedestrian access; hardstanding; demolition of 4no. outbuildings (21/00440) withdrawn on 07 June 2021.

10.3 One & two storey extensions; porch; alterations to doors and windows; removal 1no. chimney; demolition of existing single storey extension (21/00020) granted on 29 March 2021.

10.4 Application for a Certificate of Lawful Development for Proposed outbuilding and replacement roof tiles (20/00625)- certificate issued (permitted development) on 29 October 2020.

10.5 One & two storey extensions including creation of roof terrace; porch; re-roofing; alterations to fenestration; re-roofing (demolition of existing single storey extension) (19/00748) refused on 29 November 2019. Subsequent appeal dismissed on 26 March 2020.

10.6 Two storey rear extension, conservatory; replacement porch; alterations to fenestration; re-roofing (Demolition of existing conservatory) (19/00473) refused on 08 August 2019.

10.7 Addition of a sun porch (NFDC/85/28850) granted on 04 April 1985.

10.8 Alterations and extension to dining room and addition of bedroom over (existing conservatory to be demolished and store re-sited) (NFDC/80/17887) granted on 05 December 1980.

- 10.9 Conservatory (NFDC/79/14693) granted on 07 November 1979.
- 10.10 Alterations and extension to lounge and addition of kitchen with bathroom and bedroom over (existing lean-to to be demolished) (NFDC/77/06695) granted on 02 February 1977.

11. ASSESSMENT

- 11.1 Myrtle Cottage is a detached brick built property located outside of the defined villages and conservation areas. It is sited side on to Royden Lane with the vast majority of the private amenity space located forward of the principal elevation. To the rear of the property, and separated by a close boarded fence and ditch is a bridleway. The dwelling has an external appearance of brickwork with a slate roof and traditional features of a New Forest Cottage. It is a non-designated heritage asset outside of the conservation area. The dwelling is currently accessed via a pedestrian gate onto Royden Lane and a vehicular access from the side of the property to park to the rear of the property. The New Forest Site of Special Scientific Interest is located circa 160 metres to the east. Land to the west of the site is owned by the Hampshire and Isle of Wight Wildlife Trust.
- 11.2 By way of background, the application site has been the subject of several applications in recent years. Planning permission was granted for extensions and alterations to the property (21/00020) which are shown in the current application as 'approved' elevations. Also within these details, details of the certificate of lawfulness (20/00625) are provided. This was determined to be permitted development and comprised an outbuilding to the rear of the property and replacement roof tiles of the dwelling (slate to tile). At the time of the officer's site visit the development proposed in the lawful development certificate and planning application (21/00020) had not commenced.
- 11.3 Permission is now sought for an outbuilding to the rear of the property. The building would have an external footprint of 46 square metres, measure 17.4 metres in length and would be 2.6 metres wide. It would have an external appearance of waney edge timber, clay roof tiles and brick plinth. The proposed outbuilding would have the same footprint as that contained with the lawful development certificate. The key differences between the lawful development certificate and this application are as follows:
- Change from flat roof (2.5 metres height) to dual pitched roof (3.5 metres);
 - Clay roof tiles as opposed to felt roof;
 - Reduction in glazing on the 'front' elevation of the building.

A dual pitched roof would not be permitted development in this location due to the height restrictions of Class E, Part 1, Schedule

2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) at this proximity from the site boundaries.

11.4 The key issues to assess are:

- The impact upon the setting of the non-designated heritage asset;
- Compliance with Policy DP37;
- The impact on residential amenity; and
- Other material considerations.

There would be no amenity trees effected by the proposal.

11.5 In relation to the location of the proposed outbuilding, the outbuilding would be located within 0.3 metres of the host dwelling. Taking into account the extant consents, the outbuilding would not physically touch the external walls of the property and would be separated by a gap of 0.3 metres from wall to wall and a gap of 0.13m from dwelling wall to the edge of the roof of the outbuilding. The roof at the rear of the property is two storey and whilst there is an overlap at height between the dwelling roof and the outbuilding, this is the same scenario as the lawful development certificate. By obtaining a lawful development certificate for an outbuilding in this location, the applicants have clearly expressed the intention of providing such a building and could do so at any time. This represents a “fallback position” which is a material planning consideration in the determination of the application.

11.6 Having regard to the fallback position determined within the lawful development certificate, the proposed outbuilding with dual pitched clay roof would result in a more traditional, enhancement upon the flat, felt roofed outbuilding (not commenced) and is not assessed to harm the special interest character or appearance to or from the heritage asset or the rural locality. The materials of clay roof tiles would match those permitted on the outbuildings and proposed for change on the dwelling in the previous approvals and these would be conditioned. The dual pitched roof of the outbuilding and rear elevation of timber cladding would be visible from the bridleway at the rear of the property and would result in an enhancement upon the flat roof of the permitted development works. It is therefore assessed to accord with Policy SP16.

11.7 The outbuilding would be within the residential curtilage of the property and be used for a games room and store which are capable of being incidental and non-habitable in use and should be subject to a condition. The applicant has confirmed in writing the proposed uses of the building and a willingness to accept the standard outbuilding use condition. The outbuilding would be clearly subservient by being single storey and would have an

external appearance of waney edge boarding to provide the outbuilding with a subsidiary and subservient appearance. The outbuilding would have one pedestrian door with two small side windows on the road side elevation, no fenestration on the rear elevation adjacent to the close boarded fence, bridleway and field, and two double doors on the 'front' elevation of the outbuilding with shutters and within close proximity to the boundaries limiting the buildings potential uses. In relation to parking provision and amenity space, parking provision would be provided for through planning permission reference: 21/00690. Amenity space for the property would be located towards the centre of the plot and is considered to be adequate. Taking account of the planning history at the site, it is assessed to accord with Policy DP37.

- 11.8 Policy SP17 relates to impacts on the existing character of the National Park and states that development that would erode the existing character of the National Park or have a gradual suburbanising effect will not be permitted. The proposal would via the materials and subservient appearance be in keeping with the street scene. Whilst the development would result in some infilling of the space at the rear of the property, parking provision would be provided for as per application reference: 21/00690 and sufficient amenity space would be retained.
- 11.9 The outbuilding would not result in any adverse impacts upon residential amenity in relation to visual intrusion, overlooking or shading in accordance with Policy DP2. The Hampshire and Isle of Wight Trust have no objection to the use of clay tiles on the roof of the outbuilding.
- 11.10 The Parish Council have recommended refusal for the application on the basis that the building would not enhance the non-designated heritage asset, or be appropriate to the rural setting adjacent to Roydon Woods Nature Reserve and SSSI and would result in a suburbanising effect, enormous, and concern relating to it being used as a separate unit of accommodation. Taking account of the fallback position, this application provides the opportunity for the Authority to condition the proposed outbuilding and would enhance the appearance of the outbuilding compared to the flat roof determined to be permitted development and is therefore considered to be more appropriate to the rural locality. A condition is not required in relation to the SSSI due to the location of these compared to the application site. The shape, form and positioning of the proposed building would not result in a building that could reasonably be used as separate habitable accommodation and the applicant has confirmed in writing agreement to a condition limiting the use of the outbuilding to incidental and non-habitable purposes.
- 11.11 Permission is recommended subject to conditions.

12. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

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

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

- 2 Development shall only be carried out in accordance with

Drawing nos: 01 Rev A, 13 Rev B, 14 Rev B, 15 Rev B, 16 Rev B, 17 Rev B, 18 Rev B.

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

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

- 3 Development shall only be carried out in accordance with the following materials

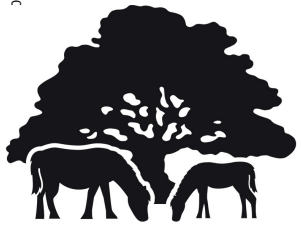
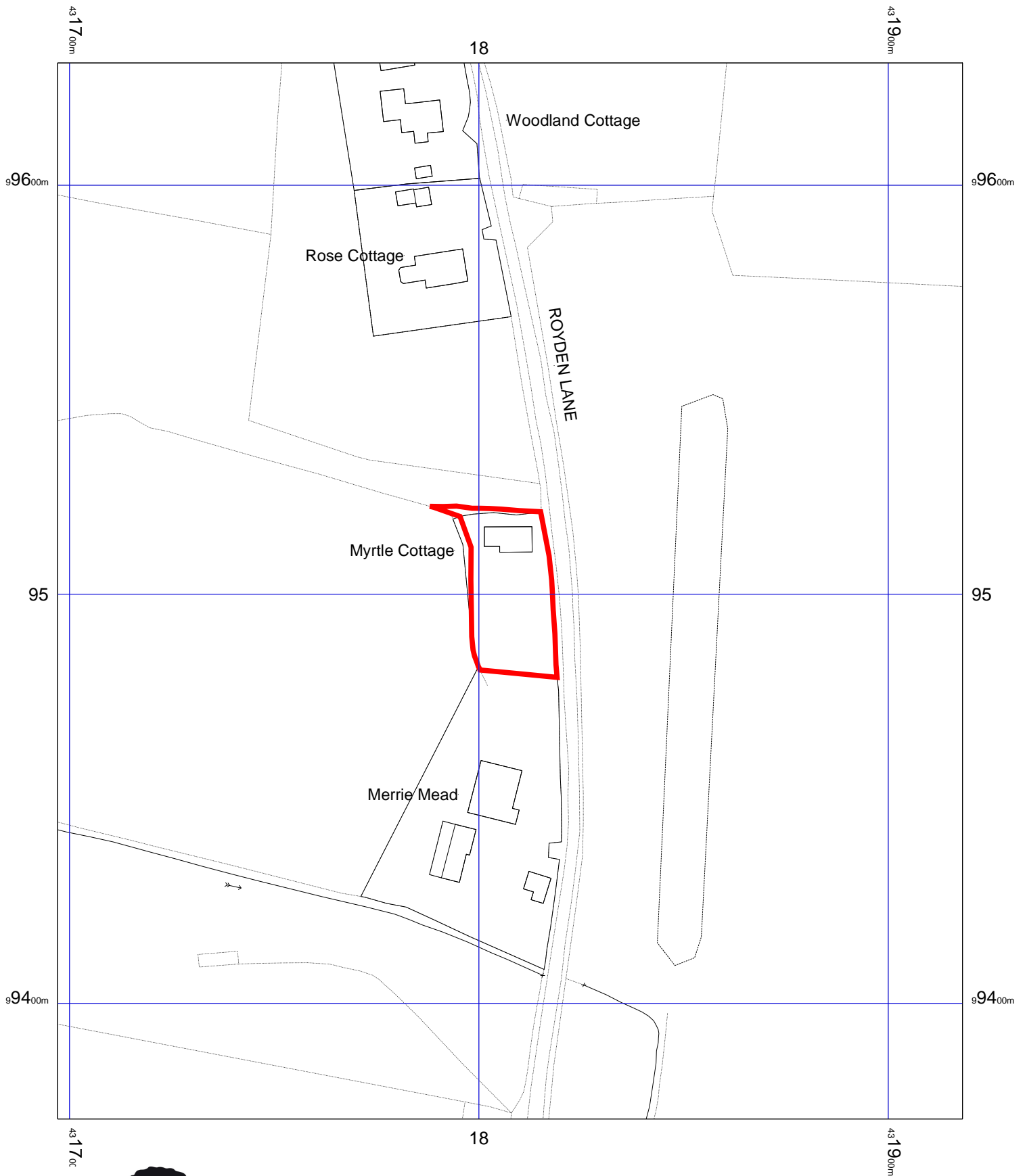
red bricks to match the existing; (submitted 07/06/2022)
wainey edge natural timber horizontal cladding (submitted 06/06/2022);
Handcrafted clay roof tiles - Coalport Autumn (submitted 06/06/2022)

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

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

- 4 The building the subject of this permission shall only be used for purposes incidental to the dwelling on the site and shall not be used for habitable accommodation such as kitchens, living rooms and bedrooms.

Reason: To protect the character and appearance of the countryside in accordance with Policies DP36 and DP37 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).



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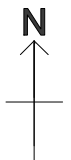
Tel: 01590 646600 Fax: 01590 646666

Date: 01/06/2022

Ref: 22/00228

Scale: 1:1250

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Application No: 22/00268/FULL Full Application

Site: Durnston, Careys Cottages, Brockenhurst, SO42 7TF

Proposal: Roof alterations to facilitate additional habitable accommodation; dormer windows; front porch; render; roof mounted solar panels; air source heat pump, electric vehicle charging point

Applicant: Mr & Mrs Bailey

Case Officer: Liz Marsden

Parish: BROCKENHURST

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
 DP35 Replacement dwellings
 SP17 Local distinctiveness
 DP18 Design principles

4. SUPPLEMENTARY PLANNING GUIDANCE

Design Guide SPD

5. NATIONAL PLANNING POLICY FRAMEWORK

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

6. MEMBER COMMENTS

None received

7. PARISH COUNCIL COMMENTS

Brockenhurst Parish Council: Recommend refusal - the proposal will result in visual intrusion and overlooking of neighbouring properties, there are concerns for the lack of parking provision and the potential noise from the proposed heat pump. Render is not appropriate for the site and setting.

8. CONSULTEES

No consultations required

9. REPRESENTATIONS

9.1 Eight representations received from six households objecting to the proposal on the following grounds:

- Overshadowing and restricting light to neighbouring properties.
- Loss of privacy due to overlooking.
- Height of proposal and overbearing profile of upper floor would be visually intrusive and dominating in views from neighbours.
- Dormers are ugly and disproportionate to property.
- Design and use of render is out of keeping with the character of the area.
- Loss of light to rooms in adjacent properties.
- Loss of small dwelling.
- Would result in increased requirement for car parking, which is already problematic in this area.
- Disturbance from air source heat pump.
- Electric charging point could trip the grid.
- Increased light pollution.
- Over-development of the site.
- Proposal would result in potential for holiday let, which is an increasing problem.
- Lack of consultation as site notice not displayed.

10. RELEVANT HISTORY

10.1 None

11. ASSESSMENT

11.1 The application site is located with the defined New Forest village of Brockenhurst. The property is a modest 'L' shaped bungalow, centrally located within its plot, with a detached single storey garage set in the eastern corner of the site. The surrounding area is characterised by residential development, predominantly in the form of two-storey detached and semi-detached dwellings. The site is not within the conservation area but is immediately adjacent to it, the boundary running along the northern and eastern boundaries of the site.

11.2 The proposal seeks to alter and raise the roof of the property to enable two bedrooms and a bathroom at first floor level, served by dormer windows in the front and rear elevations. In addition, it is proposed to render the external walls and replace the existing concrete tiles with plain clay tiles. A air source heat pump and electric vehicle charging point would also be installed on the site.

The key considerations are:

- The implications for Policy DP36 in terms of the size of the extended property. The existing property is a 'small dwelling';
- The design of the proposals and whether they are appropriate to the dwelling and its curtilage;
- The impact on the street scene and character and appearance of the surrounding area and conservation area; and
- Any impact on neighbour amenity.

11.3 The existing dwelling is a small dwelling and therefore subject to the restrictions of Policy DP36, which limit the habitable floor area to a maximum of 100 square metres. The submitted plans show that the floor area, including any parts of the roof space with a height of 1.5m or over, to be just under 100 square metres and therefore within policy limitations. It is noted that the plans include a porch, the floor area of which falls within permitted development, but which requires consent by reason of its height, which is 0.5m higher than would be permitted under the General Permitted Development Order. In line with the recently amended guidance for domestic extensions, the area created by the porch has been excluded from the calculations. It is recognised that even if a development is compliant with policy size limitations, other impacts should be considered, such as on the character and appearance of the surrounding area and neighbour amenity.

11.4 In terms of the impact on the existing dwelling and its curtilage, Policy DP36 requires extensions to existing dwellings to be appropriate to the existing dwelling and its curtilage. It could not be said that the proposals would be subservient to the existing dwelling, but rather that they, through the increased height and use of alternative materials, would change the character and appearance of the property. It must therefore be considered whether these alterations would be appropriate and could be accommodated on the site without appearing incongruous or cramped. The increase in height has been kept to the minimum possible by the insertion of a small flat roofed section, though this would not be unduly apparent from ground level. By creating a first floor level, it is possible to extend the accommodation without altering the footprint of the building, thereby retaining amenity space and maintaining the open area around the dwelling and it is not considered that the proposal would result in the overdevelopment of the site.

11.5 The surrounding area is characterised by two-storey dwellings, with Durnston being the only bungalow in the immediate vicinity of the site. The proposed increase in roof height to create a first floor level would not therefore be out of keeping with the prevalent form of development in the area. In terms of materials, it is proposed to use render at ground floor level and tile hanging at first floor as a means of providing external insulation to improve the energy efficiency of the dwelling. Whilst the prevailing facing material in

the vicinity is brick, there are elements of render and as the proposed render would be at ground floor level, it would be substantially screened and not intrusive. The use of tile-hanging is a traditional feature, found on other properties in the vicinity, and the replacement of the existing concrete tiles with plain clay tiles is considered to be beneficial. The site is located immediately adjacent to the conservation area, but it is not considered that the scale and design of the proposal is such that it would have a significant or adverse impact on this area.

- 11.6 With regard to the impact on the amenities of occupants of neighbouring properties, concerns have been raised about loss of light, outlook, privacy and potential noise disturbance from the installation of the air source heat pump.
- 11.7 The primary impact of the proposal, in terms of potential loss of light and outlook, would be on Sunset Cottage, located to the north of the site. This property is centrally located within a sizeable corner plot, but has a relatively shallow garden to its south, with a distance of circa 8.5m between the rear of the house and the boundary of the application site. The roof of the existing property, the highest point of which is 4.6m, is visible above the height of the fence along the boundary and it is apparent that the proposal, which would result in a height to the ridge of 6.5m, would have a greater visual impact on the outlook of the property. However, the design of the proposal is such that it would form a long cat slide, continuing up from the existing roof slope, so that the highest part of the roof would be 5m from the boundary. It is considered that this distance is sufficient to ensure that the proposal would not be unduly overbearing to the outlook from Sunset Cottage or result in loss of direct light to that property.
- 11.8 The proposal would not result in any shading to the property to the south, 'Woodstock', which is a two-storey, semi-detached house separated by the width of two narrow driveways. Neither would the increased height of the south eastern side wall have a significant impact on the outlook of Woodstock, as the only openings in the side elevation facing the application site are the entrance door at ground floor level and a bathroom window at first floor.
- 11.9 The proposal would result in windows, serving bedrooms, at first floor level which would look out over gardens serving 1 and 2 Headington on Meerut Road. These windows would, however, look over the rear part of the gardens, areas which are considered to be less sensitive in terms of amenity value than that immediately to the rear of the houses. Any views of Sunset Cottage would be limited to oblique views of the north east corner of the garden. It should be noted that any potential for overlooking would be similar to that currently experienced by the application site.

- 11.10 The applicants are seeking to maximise the energy efficiency of the building and propose to install a small air source heat pump immediately to the rear of the dwelling, close to the boundary with Sunset Cottage. Concern has been raised about the potential for noise disturbance resulting from the operation of the pump, but it should be noted that, other than being less than 1m from the boundary (0.6), the size and position of the unit is such that it would be permitted development. It is not considered that moving the unit 0.4m further from the boundary would materially diminish the potential for noise disturbance to the neighbour or that a reason for refusal could be sustained on this basis.
- 11.11 Concerns have been raised about the lack of parking in the vicinity of the site and that the proposal would result in a requirement for additional parking. The existing property is a two-bed dwelling and the level of parking (two parking spaces) which is provided on the site on the drive and garage is in line with the standards contained in Annex 2 of the adopted Local Plan. The proposed additional bedroom does not increase the parking requirement and as there is no increase in the footprint of the building, will not reduce the existing available space.
- 11.12 The proposed development would not exceed policy restrictions and is capable of being accommodated on the site without adverse impact on the character of the property, the surrounding area or neighbour amenity. It is therefore in accordance with Policies DP2, SP17, DP18 and DP36 of the Local Plan 2016-2036.

12. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 Development shall only be carried out in accordance with drawing nos:
- 22.763.01 Issue D - Full plans
22.763.02 Issue A - Block plan
- No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.

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

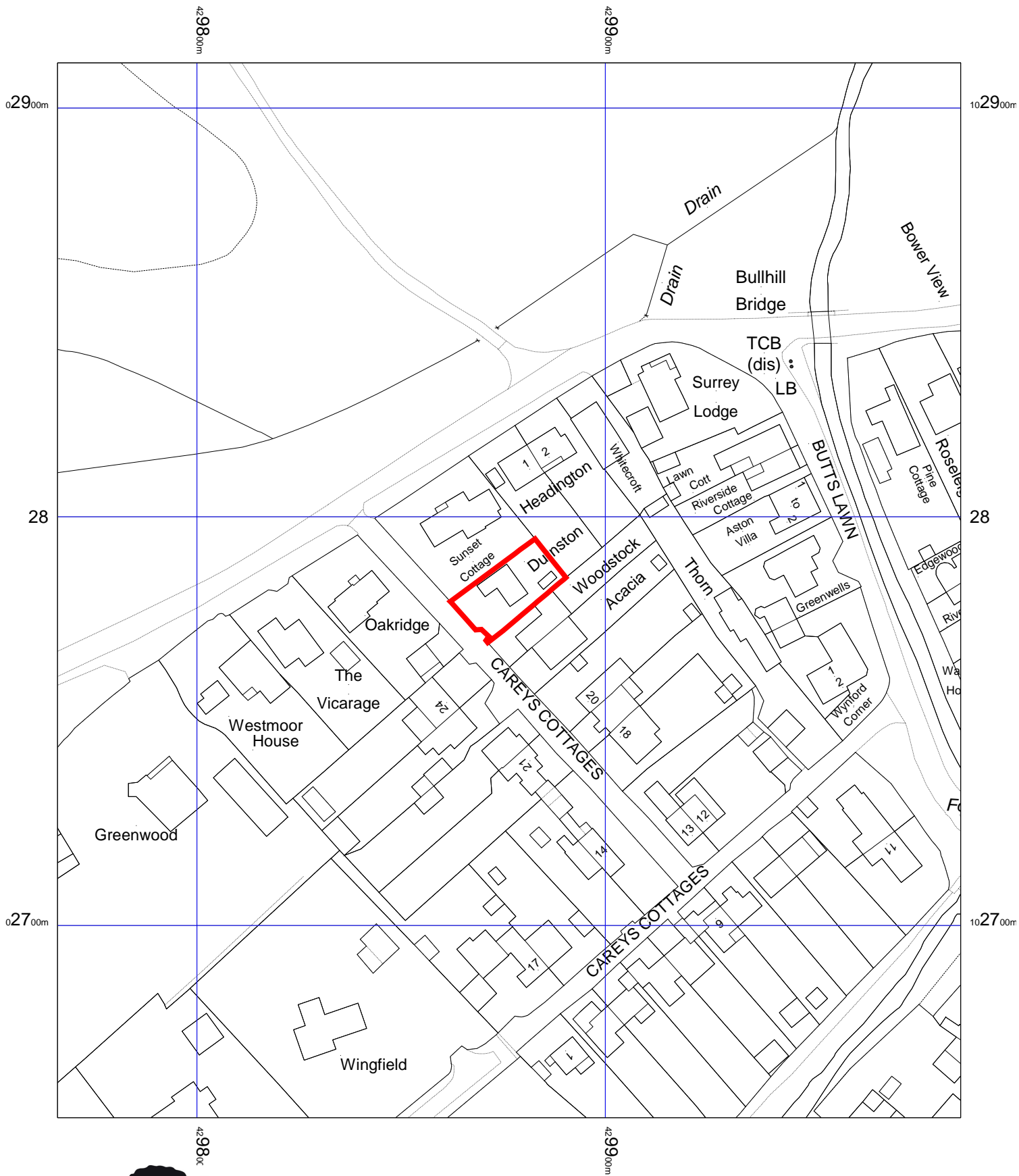
- 3 No development shall take place above slab level until samples or exact details of the facing and roofing materials have been submitted to and approved in writing by the New Forest National Park Authority.

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

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

- 4 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 shall be erected or carried out without express planning permission first having been granted.

Reason: To ensure the dwelling remains of a size which complies with Policies DP35 and DP36 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).



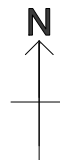
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Date: 08/06/2022

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