

**Application No: 22/00522/VAR Variation / Removal of Condition**

**Site:** Land At Stock Lane, Landford

**Proposal:** Application to vary Condition 2 of planning permission 20/00671 for 2 No. buildings (Use Class E) to allow minor material amendment

**Applicant:** Mr C Monckton

**Case Officer:** Claire Woolf

**Parish:** LANDFORD

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**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  
SP7 Landscape character  
SP17 Local distinctiveness

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Landford Village Design Statement

**5. NATIONAL PLANNING POLICY FRAMEWORK**

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

**6. MEMBER COMMENTS**

None received

**7. PARISH COUNCIL COMMENTS**

Landford Parish Clerk: Recommend refusal, for the reasons listed below.

A previous planning application 19/00918 was submitted for the purpose of gaining retrospective planning permission for the partially completed works which were not constructed in accordance with the approved

drawings. The deviations included the raised roof structure which is now the subject of the current application. The 19/00918 application was refused and the subsequent appeal was dismissed.

The two agricultural buildings were originally allowed conversion to offices under Class R of the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2 Part 3. The complete new roofs on the two buildings represents a re-build and not a conversion and therefore fall outside of the permitted development rules, especially as the roofs now extend beyond the height of the original buildings.

## **8. CONSULTTEES**

No consultations required

## **9. REPRESENTATIONS**

9.1 Two objections on the following grounds:

- Planning application seeks to go against the Planning Inspectorate's decision (19/00918)
- Retrospective consents.
- Weak environmental argument.
- Eyesore.
- Very different to original permission.
- Suburbanising effect.

## **10. RELEVANT HISTORY**

- 10.1 2 No. buildings (Use Class E) (20/00671) granted on 09 December 2020.
- 10.2 Retention and completion of 2no buildings (19/00918) refused on 14 February 2019. Appeal against refusal dismissed on 15 September 2020
- 10.3 Determination as to whether Prior Approval is required for proposed Change of Use of agricultural buildings A and B to office use (Class B1); access road and parking (17/00911) no objection raised on 21 December 2017.
- 10.4 Determination as to whether prior approval is required for proposed change of use of agricultural building to office use (Class B1) ( 17/00533) no objection raised on 16 August 2017.
- 10.5 Determination as to whether prior approval is required for proposed change of use of agricultural building to office use (Class B1) (17/00333) no objection raised on 31 May 2017.

## **11. ASSESSMENT**

11.1 This application relates to two agricultural buildings in the process

of being converted to Use Class E (Commercial, Business and Service use). The buildings are set back from Stock Lane and are accessed via a gravel track.

11.2 In terms of background, the original buildings were simple, steel-framed, pitched roof structures and the permitted prior approvals (17/00333, 17/00533 and 17/00911) ensured the retention of their rural character whilst facilitating the proposed office layouts. The prior approvals permitted change to B1 use (offices). However, works took place above and beyond what was necessary to facilitate the change of use of the buildings. These were subject of a retrospective application (19/00918) refused by the Authority and dismissed at appeal. Subsequently an application to take the buildings back to the use, design, scale and form agreed by the prior approval process (reference: 20/00671) was granted and is still within its three years. The buildings the subject of this current application are still in a partly built state.

11.3 This application seeks to vary the permission under reference 20/00671 as follows:

Building A:

- An increase in the height of the eaves from 1.9 metres from damp proof course to 2.1 metres.
- An increase in the height to ridge from 3.9 metres to 4.4 metres.
- The finished ground level is shown to have increased.

Building B:

- An increase in the height of the eaves from 1.9 metres from damp proof course to 2.1 metres.
- An increase in the ridge height from 3.9 metres to 4.3 metres.

The acceptability of two buildings for this use and format has already been established. The use of a slate roof, timber clad block work walls would accord with previously approved materials.

11.4 The key considerations relate to whether the changes to the scheme as approved under 20/00671 would be appropriate, taking account of the previous appeal decision and primarily, the subsequent planning permission granted.

11.5 Planning permission 20/00671 was granted for the buildings to be retained as offices in the form previously permitted via Prior Approval. The Case Officer for this application identified that "the proposed alteration of the partially converted buildings to reflect the design granted under 17/00911 would be considered appropriate. The design proposal would be directly associated with the change of use and would be suitably modest in this respect. The design would be functional and fit for purpose. It is considered therefore that the removal and alterations (to) the buildings would be appropriate in scale and appearance to the rural location within

the National Park and their use as offices. Subject to restricting external lighting with an appropriate condition, the proposal would not be detrimental to the character of the wider area."

- 11.6 Taking account of the previous permission rather than via prior approval, the proposed changes, as set out in paragraph 11.3 of this report are considered acceptable; the proposed changes would not result in harm to the character of the area, residential amenity (the nearest neighbours are 66 metres away to the east and over 100 metres to the west) or result in an individual or cumulative suburbanising impact taking account of the previous consents.
- 11.7 Permission is therefore recommended subject to conditions applied to the previous consent.

## **12. RECOMMENDATION**

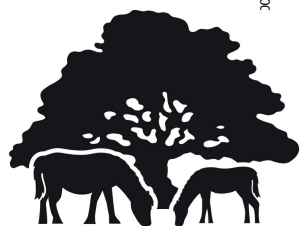
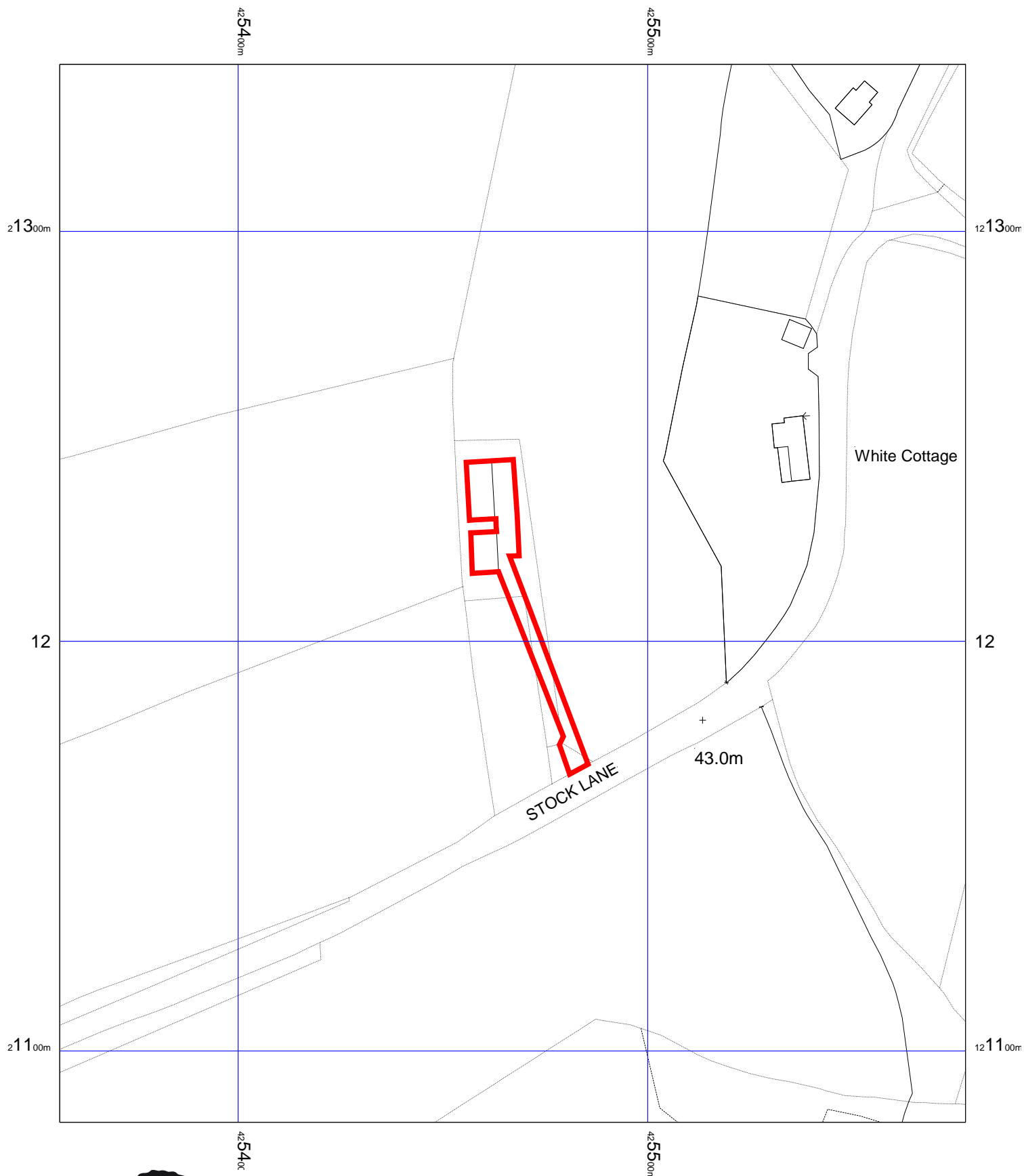
Grant Subject to Conditions

### **Condition(s)**

- 1 The two buildings the subject of this permission shall be altered so that they strictly accord with submitted drawing numbers: 16:074:01 Rev B, 16:074:03 Rev A, 16-074-04 Rev C by 09 December 2023.
- Reason: To ensure that works are completed in accordance with the approved plans and to ensure an acceptable appearance of the buildings in accordance with Policies DP2 and SP17 of the adopted New Forest National Park Local Plan 2016-2036 (adopted August 2019).
- 2 Development shall only be carried out in accordance with 16:074:01 Rev B, 16:074:03 Rev A. 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 external lighting shall be installed on the site unless details of such proposals have been submitted to and approved in writing by the New Forest National Park Authority.
- Reason: To protect the amenities of the area in accordance with Policies DP2 and SP15 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 4 Notwithstanding the provisions of The Town and Country Planning (Use Classes) (Amendment) (England) Order 2020 and The Town and Country Planning (General Permitted Development) (England) Order 2015 or any subsequent re-enactments thereof, the use of the buildings hereby approved shall be for the purposes of offices (Use Class E(c)) and for no other use purposes whatsoever, including any other purpose in Class E of The Town and Country Planning (Use Classes) (Amendment) (England) Order 2020 or any subsequent re-enactment thereof, without express planning permission first being granted. When the buildings cease to be occupied for the purposes of Use Class E(c), the development hereby permitted shall cease.

Reason: The Prior Approval consents were for the change of use of the buildings from agricultural to offices (Use Class B1 at the time of the application), rather than for any other use within what now falls within Use Class E. An unrestricted E use would be likely to have an adverse impact on the amenities of neighbouring occupiers and upon the character and appearance of the area, contrary to Policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).



NEW FOREST  
NATIONAL PARK

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Date: 02/09/2022

**Ref: 22/00522**

**Scale: 1:1250**

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