

**Application No:** 22/00929FULL Full Application

**Site:** Brockwell, Tattenham Road, Brockenhurst SO42 7SA

**Proposal:** Outbuilding (garden room); porch

**Applicant:** Mr & Mrs Allard

**Case Officer:** Julie Blake

**Parish:** Brockenhurst Parish Council

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**1. REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish Council view

**2. POLICIES**

**Development Plan Designations**

Defined New Forest Village

**Principal Development Plan Policies**

DP2 General development principles

DP18 Design principles

DP36 Extensions to dwellings

DP37 Outbuildings

SP15 Tranquillity

SP17 Local distinctiveness

**Supplementary Planning Documents**

Design Guide SPD

**NPPF**

Sec 12 - Achieving well-designed places

Sec 15 - Conserving and enhancing the natural environment

**3. MEMBER COMMENTS**

None received

**4. PARISH COUNCIL COMMENTS**

Brockenhurst Parish Council: Recommend refusal for the reasons listed below:

- Concerned that the area of impermeable surfaces proposed could result in flooding to neighbouring properties
- Over-development of the site
- Out of character and not in keeping with the area

## **5. CONSULTTEES**

None required

## **6. REPRESENTATIONS**

One objection received raising concerns regarding the height of the outbuilding and poor drainage and the potential for waterlogging and flooding of the neighbouring garden.

## **7. RELEVANT HISTORY**

First floor extension and subdivision of an existing dwelling to form two dwellings; alteration to access (17/00044) granted on 14 March 2017.

## **8. ASSESSMENT**

### **Application Site**

8.1 The dwelling is a result of a subdivision from the neighbouring property and is now a semi-detached, brick-built, two-storey dwelling of Victorian construction. It is situated on the southwest side of Tattenham Road, at the front there is low timber fencing with vehicle and pedestrian timber gates leading into a gravelled front garden with some provision for off road parking. The dwelling is situated within the defined village, is not a listed building or in a conservation area or flood zones.

8.2 To the rear of the property the garden layout between the adjoining neighbours is irregular in shape possibly due to the subdivision of the properties. The garden has an existing open sided covered seating area and patio. The adjoining neighbouring property to the rear has an outbuilding and a tennis court, the adjoining neighbour to the northwest has a small fenced off area of garden that leads into another adjoining neighbouring garden via a wire fencing covered with high hedges. The southeast side boundary is a close boarded fencing.

### **Proposed Development**

8.3 The application seeks consent for a new front porch and an outbuilding. The porch would be 3.6m high with a floorspace of 2 square metres. The outbuilding is proposed to be used as a garden room and would be 4.3m x 6.3m with a height of 3.4m. It would create 22 square metres of internal floorspace. The outbuilding would infill an awkward area of garden that

appears to be a remaining section from the historical subdivision of properties.

### **Consideration**

- 8.4 The key considerations in this case relate to compliance with Policies DP36 and DP37; the impact of the proposed development upon the dwelling, its curtilage and the local area; and the impact upon neighbour amenity.
- 8.5 In relation to the proposed porch, although the porch would extend the property by 2 square metres, the property is within the defined village of Brockenhurst and is not a small dwelling therefore floorspace limitations would not apply. The addition of the porch is not intrusive, the roof height of 3.6m is marginally over the maximum height of permitted development. The use of brick and timber frame would match the existing materials. The proposed porch is therefore considered to be acceptable to the dwelling and its curtilage in accordance with Policies DP36 and DP2.
- 8.6 In relation to the proposed outbuilding, Policy DP37 sets out that outbuildings will be permitted where they are proportionate and clearly subservient to the dwelling they are to serve in terms of their design, scale, size, height and massing. Outbuildings should be located within the residential curtilage of an existing dwelling and be required for purposes incidental to the use of the main dwelling. Outbuildings should not provide additional habitable accommodation or reduce private amenity space around the dwelling to an unacceptable level.
- 8.7 The proposed outbuilding would be located within the residential curtilage and would be proportionate and subservient to the dwelling. It would be used for purposes incidental to the use of the main dwelling and would not provide additional habitable accommodation or reduce private amenity space to an unacceptable level. The use of materials is not dissimilar to the existing covered seating area. The outbuilding is considered to comply with Policy DP37.
- 8.8 The Parish Council have recommended refusal and have raised concerns that the area of impermeable surfaces proposed could result in flooding to neighbouring properties, over-development of the site and that the proposals are out of character and not in keeping with the area. The area of the proposed outbuilding is currently laid with artificial grass and the dwelling is not situated within a flood zone and is located in a very low risk area for surface water flooding, therefore the proposal is unlikely to cause additional flooding. The edge of the outbuilding roof, guttering and downpipes appear wholly within the curtilage of the dwelling and neighbour concerns regarding the drainage from the gutter would have minimal impact. Whilst there is an existing covered area in the garden, the site is capable of accommodating the proposed outbuilding with useable garden area remaining. The proposal is therefore not considered to comprise overdevelopment.

## **Conclusion**

8.9

The proposed porch and outbuilding would not exceed policy restrictions, are in keeping with the dwelling and will not adversely affect the character and appearance of the area or neighbour amenity. The proposal is therefore in accordance with Policies DP2, DP18, DP36, DP37 and SP17 of the Local Plan.

## **9. 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.

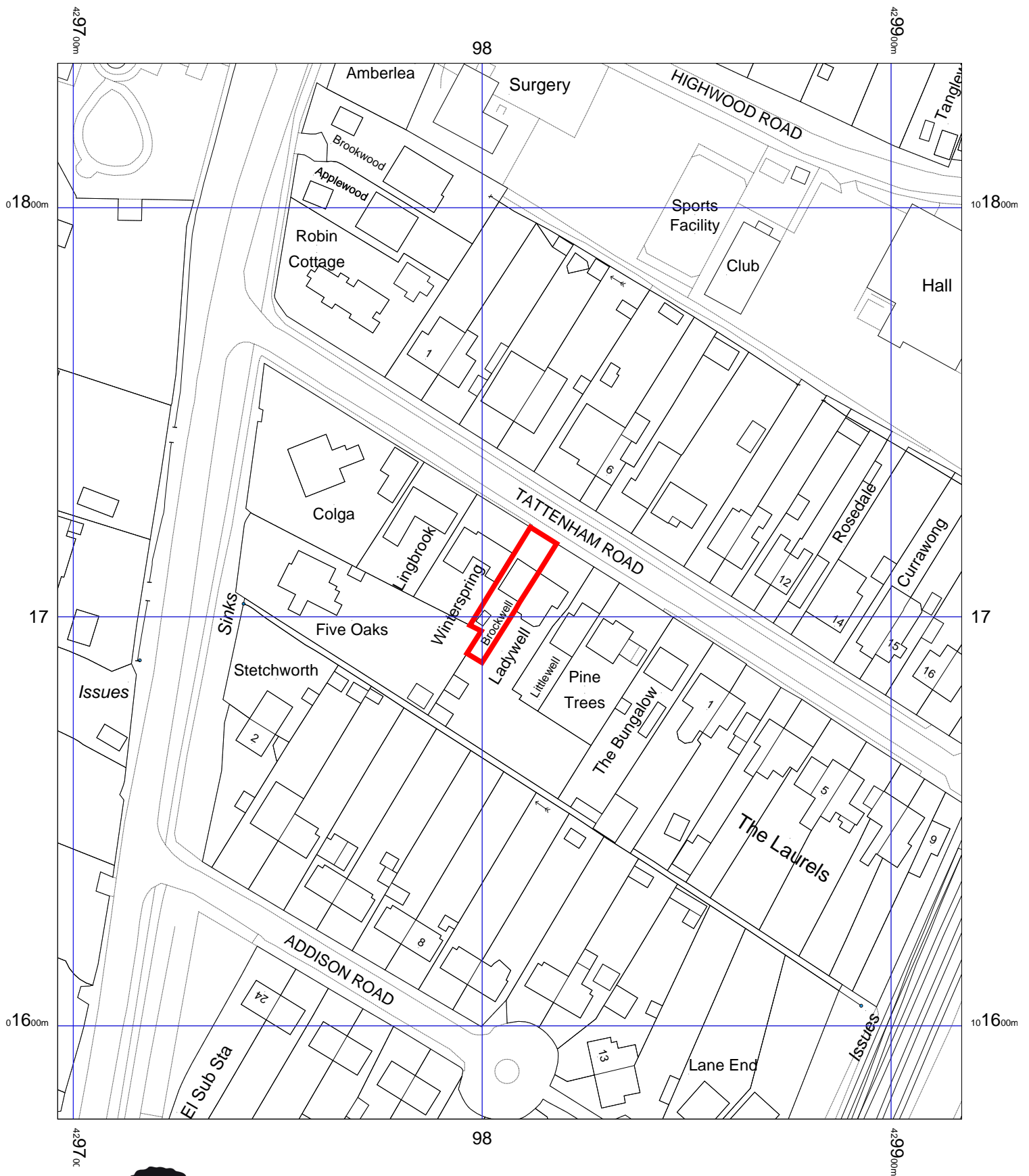
Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. 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).

3. Development shall only be carried out in accordance with drawing nos: 22075-00-01, 22075-00-02 Rev A and 22075-00-03 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).



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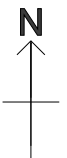
New Forest National Park Authority  
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Date: 03/04/2023

**Ref: 22/00929FULL**

**Scale: 1:1250**



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**Application No:** 22/01082FULL Full Application

**Site:** Parsons Mead, Palace Lane, Beaulieu, Brockenhurst, S042 7YG

**Proposal:** Creation of access and track; 2no. gates

**Applicant:** Marion Investment LLC

**Case Officer:** Liz Marsden

**Parish:** BEAULIEU PARISH COUNCIL

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**1. REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish Council view

**2. POLICIES**

**Development Plan Designations**

Conservation Area  
Flood Zone

**Principal Development Plan Policies**

SP17 Local distinctiveness  
DP2 General development principles  
DP18 Design principles  
SP7 Landscape character  
SP15 Tranquillity  
SP16 The historic and built environment  
SP55 Access

**Supplementary Planning Documents**

Design Guide SPD

**NPPF**

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

**3. MEMBER COMMENTS**

None received

#### **4. PARISH COUNCIL COMMENTS**

Recommend permission for the following reasons:

- 1) The new entrance is felt to be justified on grounds of road safety as the existing up hill entrance has very poor lines of sight onto Palace Lane and is hazardous.
- 2) The new entrance is sympathetically designed to have minimal impact on the conservation area.
- 3) There will be no impact on pedestrians using the existing foot path into Rope Factory Field.

#### **5. CONSULTEES**

Archaeologist: No objections as the proposed groundworks would not cause significant disturbance to the archaeological horizon

Conservation Officer: Objection. Proposed access is wide at the mouth and overly suburban. Grasscrete unlikely to stay green and proposed works to boundary will not be an enhancement as will be continuing the inappropriate close boarded fencing behind the new estate railings, which is an unsympathetic feature in the conservation area.

Landscape Officer: Objection. The Conservation Area Character Appraisal indicates that the field is an 'Important Open Space' with a panoramic view noted from Palace Road. The proposed new access is not sympathetic to the historic character of this part of Beaulieu or the wider village. The following aspects are of particular concern:

- The proposal would result in a change of levels, which would not work with the existing landform and look out of place in this sensitive location.
- Grasscrete is an inappropriate material in the rural setting and the cast solid concrete edge on all sides of the proposed driveway would add to its visual intrusion
- Concrete is the most polluting building material to manufacture and would not be sustainable.
- Grasscrete would extend to the edge of the gravel track, removing the narrow grass verge, resulting in a very visible hard concrete edge that would detract from the rural quality of the existing track.
- Increased use of the track and manoeuvring would cause stress to the gravel surface and sub-base leading to damage and potholes and the loss of the central grass strip and potential pressure for a replacement hard surface and the suburbanisation of the rural track
- Query the use of metal gates made to look like timber.
- Impact on tranquillity due to the increased activity in the open space with all daily vehicular movements being displaced from the domestic curtilage and into the open space.

- Additional close boarded fencing would be inappropriate and detrimental to the landscape character of the location.

Tree Officer: No objection

HCC Countryside Services: No objection subject to conditions and the inclusion of informatives on any consent.

HCC Highways: No objection

Ecologist: No objection subject to conditions to secure a Construction Environmental Management Plan (CEMP), including measures for the removal of non-native invasive species and proportionate biodiversity compensation.

## **6. REPRESENTATIONS**

Letter from the applicant's planning agent responding to the comments made by the consultees, in particular those of the Landscape Officer.

Letter from the applicant's land agent highlighting the hazards of the existing access together with the efforts that have been made to find the most appropriate and least intrusive solution.

## **7. RELEVANT HISTORY**

Detached building for garaging and storage (03/77118) granted on 06 May 2003

## **8. ASSESSMENT**

### **Application Site**

- 8.1 Parsons Mead is a detached dwelling, set in a spacious garden which is next to the river and located in the conservation area. The site is adjacent to the B3054 with the front boundary of the site, currently defined by railings immediately adjoining the narrow, grassed verge. Behind the railings there is a taller close boarded fence with a wide mature hedge on the garden side. To the east of the site, there is an open field which has an existing access from the road, which serves a track and footpath. The field slopes down from its highest level, bordering the road, to the edge of the river

### **Proposed Development**

- 8.2 The application seeks consent to create a new vehicular access to the site, extending from the field access to the east across the field to the eastern boundary of the site. The existing vehicular access to the site is to be closed, though the pedestrian access would be retained. The reasons given are that the existing access has inadequate lines of sight



and entering and leaving the site is hazardous to highway safety. The existing access is to be closed with an extension of the close boarded fence and metal railings that run along the Palace Lane frontage. These fences would be joined so that, whilst having a similarly solid appearance as the existing boundary treatment, they would incorporate double vehicular gates, opening into the site with a separate pedestrian gateway. There would also be some relocation of a fence and gate within the garden.

8.3 The key considerations are:

- The impact of the new access on the landscape and character and appearance of the conservation area;
- Whether the new access is justified in terms of highway safety, or whether there are any alternative solutions that could be achieved by changes to the existing boundary of the site;
- Any impact on trees or ecology; and
- The impact on users of the footpath.

### **Consideration**

#### **Impact on character and appearance of surrounding area**

8.4 The proposal would not have an impact on the dwelling, or its curtilage, as the new access is set to the west of existing outbuildings which effectively screen the access works. The primary objection to the proposal is therefore based on the impact that the works would have on the landscape and heritage character of the area. The site is located in the conservation area and, under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act, special attention should be paid to the desirability of preserving or enhancing the character or appearance of that area and this is reflected in Policy SP16 of the Local Plan.

8.5 The site of the proposed access is also identified in the Beaulieu, Buckler's Hard and Exbury Conservation Area Character Appraisal as 'Important Open Space' with a panoramic view noted from Palace Road towards the river. It is clear that whilst the gravel track is used by walkers and occasionally by vehicles, the space is primarily an open and unspoilt meadow which is an integral part of the sensitive landscape of this part of the village. Whilst the submitted planning statement refers to the regard that has been had to the relevant Conservation Area Character Appraisals and management plan, the significance of the site was not identified and no landscape analysis was carried out as part of the submission. A National Park has the highest level of protection afforded to the landscape, with the site in question located within a Conservation Area, in one of the most sensitive locations in the New Forest National Park. These facts all lead to the requirement for the landscape impacts of the proposals to be considered at the highest level and detail.

8.6 The proposed new access driveway would form a curving shape from an existing gravel track, using 'grasscrete' as the proposed surfacing. As the

land slopes down towards the river, the creation of the proposed new access driveway is shown to cut into the existing ground levels on the north side of the track, at its greatest extent to a depth of 580mm and to raise the existing ground levels by between 350mm and 520mm on the south side, to create an almost flat surface for the proposed new access driveway. This represents a considerable change of levels in a naturally sloping piece of land, which would look out of place in this sensitive location and alter the existing landform. It is recognised that the access would be substantially screened from the road by the hedge, but it would be clearly seen in views from the footpath and the river, where the introduction of an urban feature into the rural location would be intrusive.

- 8.7 The adverse impact would be exacerbated by the use of 'grasscrete', which is considered to be inappropriate in a rural setting, being a more urban and suburban material and would be at odds with the advice set out in the New Forest National Park Landscape Action Plan which sets out ways to avoid suburbanisation including the use of permeable materials such as gravel, especially at the edge of settlements. Grasscrete also has a reputation for the soil in the pockets drying out and becoming compacted by overrun of vehicle tyres so that grass does not grow effectively and the main visual impact is squares of concrete with compacted and dried out soil in between. With hot dry summers becoming more frequent with climate change and the sun's heat being retained within the concrete, this drying out and increased visibility of the track surface becomes more likely.
- 8.8 The edges of the grasscrete, as solid concrete strips, would also be a harsh feature, though it is recognised that, in time, the sides of the track could bed in and be screened by field grass. However, it would result in an awkward junction with the existing track, resulting in the loss of the grass verge along it and, with the regular turning of vehicles from the track into the new access, there would be a greater potential for wear and tear of the existing track, together with the degradation of the central grass strip which contributes to its rural character. The applicants have made the point that grasscrete is used by organisations such as the Natural Trust and English Heritage to create car parks and access tracks. However, it is considered that the creation of areas of parking within an estate to serve a particular attraction and which does not have an impact on the wider landscape can be distinguished from the current proposal, which extends over an otherwise unspoilt field.
- 8.9 Other features that are considered to be out of keeping with the rural characteristics of the area would be the use of metal gates that are designed to resemble timber. Whilst an indication of the style of gate is shown, which reflects the design of other gates on the Beaulieu Estate and is considered to be acceptable, there are no illustrations of the actual gate to be used, though the details could be the subject of a condition. Furthermore, the enclosure of the existing access with a continuation of the close boarded fence, with railings to the front is considered to

perpetuate an existing inappropriate feature that appears cluttered and unsympathetic to the character and appearance of the conservation area.

- 8.10 The Landscape officer has also raised concerns about the impact of the use of the new access on the tranquillity of the open space, making the point that there is very limited vehicular use of the track at the present time whereas the proposal would result in its regular use by car journeys to and from the house at any time of day or night. It is acknowledged that there would be no increase in the number of vehicle movements accessing the house or along the road but as, at present, these are predominantly screened from the river by the hedge along the boundary and planting within the curtilage of the house, the existing traffic has less impact, particularly during the hours of darkness, than that that would result from vehicles turning into and traversing the open field, where there is no screening from the river. This would contravene Policy SP15 which seeks to protect the tranquillity and dark night skies within the New Forest National Park.

### **Highway Safety**

- 8.11 It is recognised that the existing access, which has been in situ for a great number of years, is not ideal in terms of the visibility afforded to drivers, particularly on leaving the site, and that Palace Lane as the main route through Beaulieu, can be busy. The existing access is stated to have a visibility distance of 15m to the east and 10m to the west, well below the 43m required for a 30mph road. The track access could provide visibility of 47m to the west and 41m to the east, which would be a significant improvement, though it is noted that, according to the submitted Highways Technical Note *'the hedgerow either side of the access will require pruning to achieve the required sightlines'*. The Technical Note concludes that the proposed access would provide a net benefit to the road network and the Highways Authority have not raised an objection to the proposal.
- 8.12 However, there is no evidence that the possibility of improving the existing access has been considered. A significant constraint to visibility from the access are the close boarded fences to either side of the access, which are set immediately adjacent to the narrow verge beside the road. The removal of at least part of the fence and the hedge to the west of the access, or relocating it to provide a wider bell mouth, could improve the lines of sight to the west, and the removal of the small section to fence to the east would assist in that direction. This has been queried with the applicant's agent who has explained that part of the difficulty relates to the slope up to the access, but again there is no information to demonstrate that alterations within the site would not be feasible.

### **Impact on Trees**

- 8.13 There are substantial Leyland Cypress trees on the eastern boundary of the site, close to the proposed access. Whilst the application proposal does not propose the removal of the trees, their proximity to the works could, in future result in some conflict. However, it should be noted that a previous tree works application to remove them (CONS/20/0350), was consented and, although it has since lapsed, the trees are still not considered worthy of further protection by a Tree Preservation Order. There are therefore no objections to the proposal on tree grounds.

### **Ecological Considerations**

- 8.14 The proposal would result in the loss of a small area of semi-improved grassland and an ecological report has been submitted which identifies potential impacts to protected species, together with the presence of invasive plants which could be affected or spread as a result of ground disturbance. The report also identifies a range of mitigation measures which, if implemented, would ensure that impacts are avoided or reduced to a scale where they are not significant. Therefore, subject to conditions to ensure that a CEMP is produced and approved prior to the commencement of any works, the benefits to be derived from invasive plant control and opportunities for native planting would outweigh the limited impact on non-priority habitat and a reason for refusal on this basis would not be justified.

### **Impact on Footpath**

- 8.15 The use of the track from Palace Lane will, for a short distance, have some impact on the public right of way (PROW), Footpath 1, that runs along the track and continues to Dock Lane to the east. Hampshire Countyside Services have commented to the effect that Footpath 1 has not been shown on the submitted plans and there is insufficient information about the construction of the access to ensure that it would not result in the obstruction of the PROW or have implications for the safety of its users. However, they conclude that these issues can be addressed by means of conditions relating to construction traffic, materials and equipment and an appropriate Construction Traffic Management Plan. It is also noted that, even should planning permission be granted, a separate consent is required from the Highways Authority, in this case, HCC Hampshire Countryside Services.

### **Conclusion**

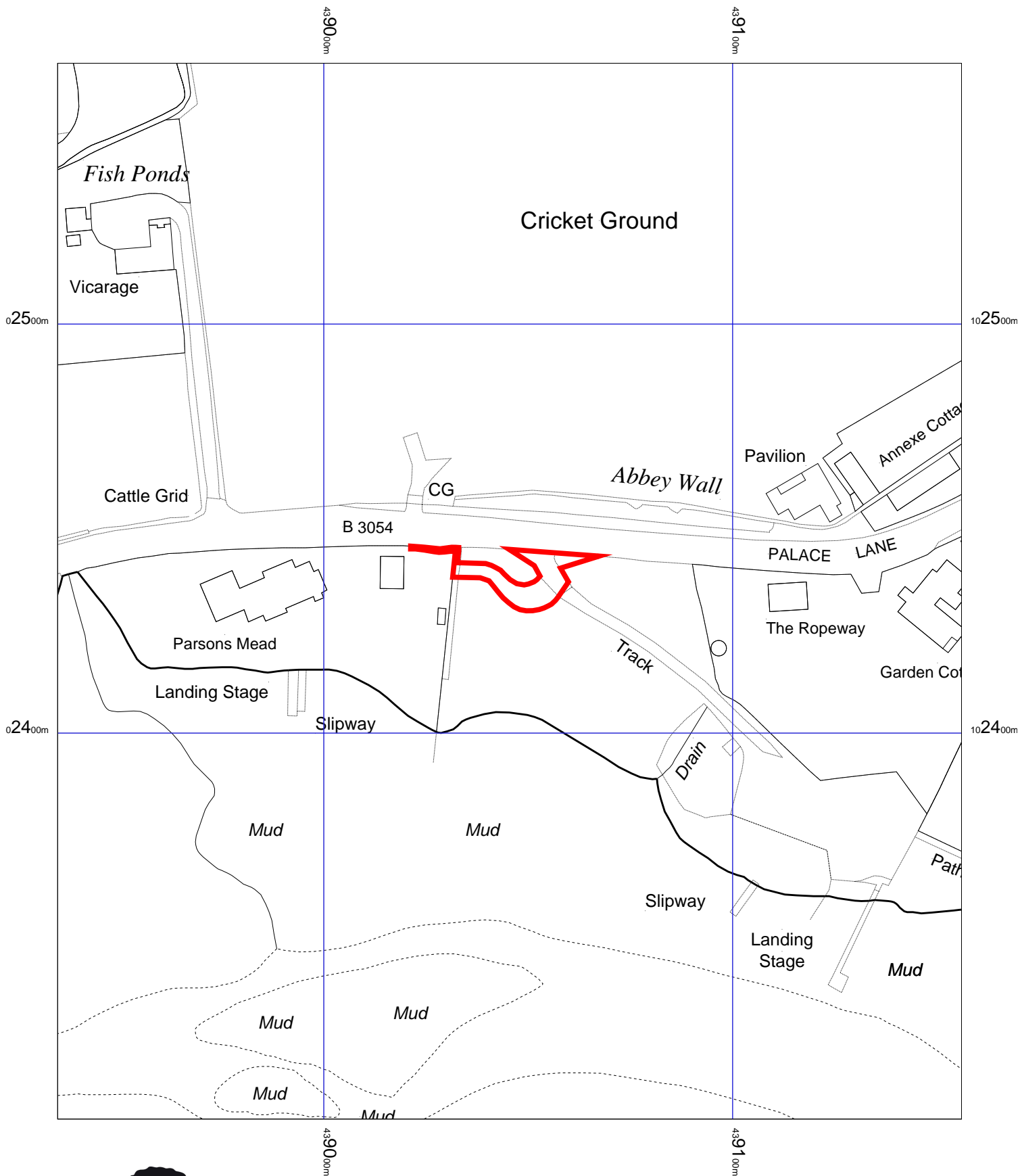
- 8.16 The proposed access would by reason of its location, design and materials be an inappropriate feature that would be unsympathetic to the landscape and historic character and appearance of Beaulieu. The harm caused to the visual amenities of the area would not be outweighed by the limited benefits to highway safety, particularly as it is not considered that it has been demonstrated that all alternative options have been fully explored. The proposal would therefore be contrary to Policies SP7, SP15, SP16 and SP17 of the Local Plan 2016-2036.

## **9. RECOMMENDATION**

Refuse

### **Reason(s) for refusal:**

1. The proposed access would, by reason of its location, design, materials and use be an inappropriate and suburban form of development that would be unsympathetic to the character and appearance of the landscape and conservation area within which it would be located and contrary to Policies DP2, SP7, SP15, SP16 and SP17 of the New Forest National Park Local Plan 2016-2036 (August 2019) and New Forest National Park Landscape Action Plan.



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