

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY**NEW FOREST NATIONAL PARK AUTHORITY****TOWN AND COUNTRY PLANNING ACT 1990
(AS AMENDED BY THE PLANNING AND COMPENSATION ACT
1991)****ENFORCEMENT NOTICE****ISSUED BY: New Forest National Park Authority**

1. **THIS IS A FORMAL NOTICE which** is issued by the Authority because it appears to them that there has been a breach of planning control, under section 171A(1) (a) of the above Act, at the land described below. They consider that it is expedient to issue this Notice, having regard to the provisions of the development plan and to other material planning considerations.

2. **THE LAND AFFECTED**

Land at Vernon Dene, Ringwood Road, North Ripley, Bransgore, Christchurch, BH23 8EL shown edged red on the plan attached to this Notice.

3. **THE BREACH OF PLANNING CONTROL ALLEGED**

Without planning permission, the carrying out of engineering works ('the site works') comprising the laying of hard surfaces for caravan bases, formation of internal roads, driveways, parking spaces, creation of two new paved bell mouth entrances including the erection of boundary walls and brick pillars, and the installation of utility cabinets, water and foul drainage systems, to facilitate the introduction of up to 92 permanently sited caravans on the land affected.

4. **REASONS FOR ISSUING THIS NOTICE**

It appears to the Authority that the above breach of planning control has occurred within the last four years.

The site lies in an area of open countryside within the New Forest National Park and within the catchment of the River Avon Special Area of Conservation (SAC). The site also adjoins the New Forest Site of Special Scientific Interest (SSSI) and lies within 400m of the New Forest Special Area of Conservation (SAC), the New Forest Special Protection Area (SPA) and the New Forest Ramsar.

The Secretary of State has issued a Screening Direction (on 21 April 2022) confirming that the site works are likely to have significant effects on the environment and are 'EIA' development within the meaning of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

The site works have also been screened under the Conservation of Habitats and Species Regulations 2017 (as amended). The Authority has concluded that the site works, in the absence of avoidance or mitigation measures being secured, would contribute towards a likely significant effect on the qualifying habitat features of the following:

- The River Avon Special Area of Conservation;
- The New Forest Special Area of Conservation;
- The New Forest Special Protection Area; and
- The New Forest Ramsar Site.

In light of the EIA Screening Direction and in the absence of any written notification of approval under regulation 77 of the Conservation of Habitats and Species Regulations 2017, the site works require planning permission and cannot rely on permitted development rights under Part 2, Class A and Part 5, Class B of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015.

The site works would facilitate a significantly more intensive use of the site, with little open space and no landscaping to break up the uniform layout of the static caravans. The site works and associated use represent an inappropriate and urbanising form of development in a protected landscape that would be at odds with the surrounding open countryside and out of character with the rural nature of this part of the National Park. The lighting on the site would lead to light pollution in a part of the National Park which seeks to protect its special qualities of dark night skies and tranquillity. The scale of the site works are such that they are considered to be 'major development' - being development which has the potential to have a significant impact on the National Park and its special qualities.

For all these reasons, the site works are contrary to Policies DP2, SP3, SP5, SP6, SP7, DP8, SP15, SP17, SP19 and DP47 of the adopted New Forest National Park Local Plan (2016-2036) and national policy set out in section 15 of the National Planning Policy Framework (2021).

The Authority does not consider that planning permission should be granted because conditions could not overcome the objections referred to above.

5. WHAT YOU ARE REQUIRED TO DO

- 5.1 Permanently remove all the hard surfaces including those providing caravan bases, internal roads, driveways and parking spaces from the land affected.
- 5.2 Permanently remove the two new paved bell mouth entrances together with boundary walls and brick pillars from the land affected.
- 5.3 Permanently remove the water and foul drainage systems servicing the caravan plots from the land affected.
- 5.4 Permanently remove all the utility cabinets from the land affected.

5.5 Permanently remove all materials and debris arising from compliance with requirements 5.1 to 5.4 from the land affected.

5.6 Restore the land affected to its former levels and condition.

Time for compliance: **Six months** after this Notice takes effect.

6. WHEN THIS NOTICE TAKES EFFECT

This Notice takes effect on 3 January 2023 unless an appeal is made against it beforehand.

Dated: 24 November 2022

Signed:



Rosalind Alderman
Solicitor and Monitoring Officer

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

NFNPA Reference No. 19/0321

ANNEX

YOUR RIGHT OF APPEAL

You can appeal against this Notice, but any appeal must be received, or posted in time to be received by the Secretary of State before 3 January 2023. The enclosed leaflet from the Planning Inspectorate headed "THIS IS IMPORTANT" details what you must do should you wish to appeal. Read it carefully.

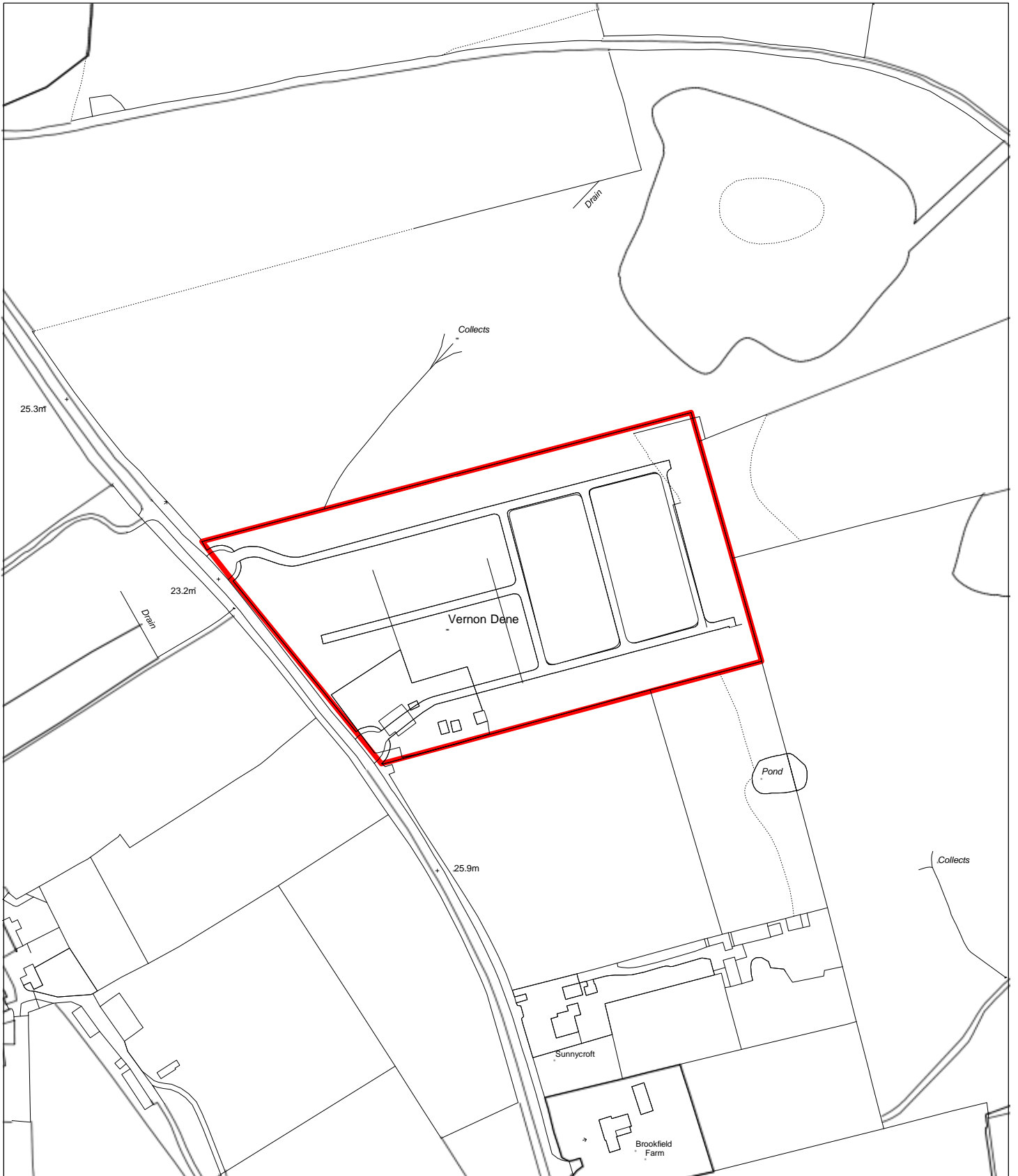
Agents should note that if ground (a) is not pleaded at the very beginning the Inspectorate will not delay the processing of the appeal.

Appellants should set out all grounds for making their appeal and provide supporting facts for each ground when making the appeal.

It is important that if the appellant wants the planning merits of the development to be considered – known as the "deemed planning application" - they must plead ground (a) and pay the fee for that application to the local planning authority when making their appeal. If this is not done, the planning merits and any subsequent ground (a) appeal (Ground (a) - that planning permission should be granted (or that the condition or limitation referred to in the enforcement notice should be removed)) cannot be considered by the Inspector. The appeal will only be determined on the grounds of appeal as submitted on the appeal form.

WHAT HAPPENS IF YOU DO NOT APPEAL

If you do not appeal against this Enforcement Notice, it will take effect on 3 January 2023 and you must then ensure that the required steps for complying with it, for which you may be held responsible, are taken within the period(s) specified in the Notice. Failure to comply with an Enforcement Notice which has taken effect can result in prosecution and/or remedial action by the Authority.



**NEW FOREST
NATIONAL PARK**

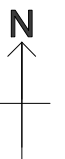
New Forest National Park Authority
 Lymington Town Hall
 Avenue Road
 Lymington
 SO41 9ZG

Tel: 01590 646600
 Fax: 01590 646666

Date: 24/11/2022

ENFORCEMENT NOTICE

Vernon Dene
 Ringwood Road
 North Ripley
 Bransgore
 BH23 8EL
 EN/19/0321



SCALE: 1:2500

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