

**Application No:** 22/00175 Full Application

**Site:** Rockford Farm Barns, Rockford Road, Rockford BH24 3NB

**Proposal:** 1 No. new commoners dwelling; 1 No. new stable block; 1 No. new barn; associated new access, fencing and hardstanding; demolition of existing barn and stables

**Applicant:** The New Forest Trust

**Case Officer:** Carly Cochrane

**Parish:** Ellingham, Harbridge and Ibsley Parish Council

**1. REASON FOR COMMITTEE CONSIDERATION**

Commoners Dwelling

**2. POLICIES**

**Development Plan Designations**

Conservation Area

**Principal Development Plan Policies**

SP5 Nature conservation sites of international importance

SP6 The natural environment

SP7 Landscape character

SP15 Tranquillity

SP16 The historic and built environment

SP17 Local distinctiveness

SP19 New residential development in the National Park

SP21 The size of new dwellings

SP29 New Forest commoners' dwellings

DP2 General development principles

DP18 Design principles

DP50 Agricultural and forestry buildings

DP52 Field shelters and stables

**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**

Ellingham, Harbridge and Ibsley Parish Council: Recommend permission but would accept the decision reached by the National Park Authority's Officers under their delegated powers.

Members wished the following comments and observations to be taken into consideration:

- A few minor discrepancies were noted between the materials' descriptions in different documents.
- While approving the periodic use of a road-sweeper on the access road during the construction phase, reinstatement of the verges when/where overrun would also be welcome.
- If photovoltaic (PV) electrical capacity is being considered, the use of PV tiling rather than over-roof panels would be preferred, to minimise the visual impact.
- The incorporation of a phosphate removal system into the waste water biodigester unit was welcomed.

#### **5. CONSULTEES.**

Building Design & Conservation Officer: Support subject to conditions

Ecologist: Initial objection raised in relation to the proposed drainage scheme initially submitted and noted that the ecology survey had not been updated in respect of protected species. Objection now overcome.

Landscape Officer: No objection.

Hampshire Highways: Further information requested in respect of visibility splays.

Natural England: Further information was required in respect of phosphorus nutrient loading, recreation mitigation and Appropriate Assessment.

Tree Officer: No objection

#### **6. REPRESENTATIONS**

Two letters of representation have been received: one raising an objection and one making comments on the application. The comments made are summarised as follows:

- Concern in relation to whether the land has common rights of pasture as required by the Review of the Commoner's Dwelling Scheme (October 2011), and concerns in respect of the ecological damage caused by the cattle and overgrazing.
- Not convinced of a demand for the development on the basis that the first permission was not implemented within the three year period, therefore considered an absence of demonstrable need for the development.

- Proposal represents an inappropriate form of residential and agricultural development within the open countryside contrary to policy, and would be an overdevelopment to the detriment of the character and appearance of the conservation area.
- Adverse impact upon Dark Night Skies.
- Loss of historic barns.

A letter of representation has also been received from Friends of the New Forest, who are in support of the application.

## **7. RELEVANT HISTORY**

1 No. new commoners dwelling; 1 No. new stable; 1 No. new barn; associated access, fencing and hardstanding; demolition of existing barns (19/00150) granted on 21 May 2019

2 No. new Commoners dwellings; 2 No. new stables; 2 No. new barns; associated access, fencing and hardstanding; demolition of existing barns (17/01077) refused on 20 July 2018

Installation of new timber post and four strand barbed wire fence (15/00591) approved on 7 September 2015

## **8. ASSESSMENT**

### **Application Site**

8.1 The application site is located to the eastern side of Rockford Road and relates to a parcel of agricultural land which comprises a large, 'L' shaped dilapidated barn, with the access to the southern corner of the site adjacent to the barn. The site is within the Western Escarpment Conservation Area, and the barn has been identified within the Conservation Area Character Appraisal as a non-designated heritage asset. With the exception of the land immediately in front of the barn, the site is a designated Site of Importance for Nature Conservation (SINC). An area of woodland and public right of way adjoin the southern boundary, and the woodland falls within the New Forest Site of Special Scientific Interest. The land rises steeply to the east, away from the barn and towards the open forest. Agricultural land lies to the east and north of the site and these also fall within the same ownership, with the total area amounting to just over 6 hectares.

8.2 By way of background, planning permission was granted in 2019 (reference 19/00150) for a new commoner's dwelling, with stable, barn, access, fencing and hardstanding. The permission expired in May 2022 and was not implemented.

### **Proposed Development**

8.3 This application seeks to "renew" this earlier permission and the details within it replicate those which were submitted as part of the 2019 application. This application therefore seeks permission for the erection of a commoner's dwelling, with its curtilage enclosed by post and rail

chestnut fencing, with associated stables and barn located adjacent to the southern site boundary, access, stock fencing and hardstanding providing access to the dwelling from Rockford Road, and to the front of the stables and barn building. A new hedge is proposed to be planted to the front and rear of the site, and additional planting in the form of grassland and wildflowers is proposed either side of the access, behind the new hedge.

### **Consideration**

- 8.4 As this application is a resubmission, the considerations are as per the previous application, however, the principle of a commoner's dwelling with associated buildings in this location has been established.
- 8.5 As noted at the time of the previous applications, the New Forest Commoning Review (2007) identified poor access to suitable affordable housing as possibly the single largest threat to sustaining commoning in the future. A recommendation of the Review was that the relevant authorities and landowners should look to develop rental schemes to help commoners access affordable housing. Providing affordable housing for commoners has therefore long been recognised as essential for the future viability of the commoning system in the New Forest, and Policy SP29 of the Local Plan sets out that dwellings to meet the specific needs for New Forest commoners may be permitted outside an existing settlement, and these will be limited in their floorspace to a maximum of 100 square metres, as per the requirements of Policy SP21. The Policy specifically makes provision for proposals that provide rented accommodation to assist commoners on lower incomes where such accommodation is capable of management by an appropriate body such as the New Forest Trust (the applicant in this case). Proposals for rented accommodation must have common rights of pasture and include a minimum amount of grazing land as required under the Commoner's Dwelling Scheme (CDS). The appropriate body will also be required to sign a legal agreement to ensure the dwellings remain in use for commoning in perpetuity.
- 8.6 The aim of New Forest trust is to build up a stock of small holdings around the Forest which would be made available at a sustainable rent to, initially, young commoners giving them a secure base from which to develop their commoning and family activities. Their rental agreement would be conditional on their continuing the practice of commoning. In order to progress this aim, in 2015 the New Forest Trust have secured a 99-year lease from Hampshire County Council (the landowner) specifically for the furtherance of the practice of commoning.
- 8.7 The application is accompanied by statements of interest from five practicing commoners. Whilst these have not been updated since the previous application and therefore it is likely that some of the individuals no longer meet the definition of a 'young commoner', being a commoner up to the age of 40, it is reasonable to suggest that there would remain a realistic prospect of ensuring the development of one dwelling would serve need and demand.

- 8.8 The proposed dwelling would have a floorspace of 100sqm and would be of a simple design with a rectangular form to appear as a modest worker's cottage typical of the New Forest, constructed of brick with a natural slate roof, with the single storey element clad in horizontal timber. This complies with the floorspace limitation, and results in a simple and appropriate design, fitting to a dwelling seeking to facilitate the continuation of the commoning tradition. The proposed ancillary buildings would be clustered close to the proposed dwelling incorporating a relative traditional layout arranged around open yard areas. The proposed landscaping would aid in providing screening and once established, would soften the visual impact of the development.
- 8.9 As before, concern has been raised by local residents in relation to the loss of the non-designated heritage asset. Whilst the loss of the barns is regrettable, options to retain and convert the buildings were explored during the early stages of the pre-application process. It became apparent that this would not be viable due to the very poor condition of the buildings. Since the previous application, the buildings have not been put to any use and continue to fall into disrepair. Whilst this is not usually considered to be a material consideration in respect of heritage buildings, on the basis that permission has previously been granted, it would be unreasonable at this stage to oppose the loss of the buildings particularly as an alternative, appropriate form of redevelopment has been identified and secured. The first purpose of National Parks as set out in primary legislation is to 'conserve and enhance the natural beauty, wildlife and cultural heritage of the New Forest', and this scheme would contribute to the longevity of the commoning tradition and culture, which in turn shapes the landscape of the New Forest and provides many ecological benefits.
- 8.10 In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an appropriate assessment has been carried out as to whether granting planning permission would adversely affect the integrity of the New Forest European site, in view of its conservation objectives. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect on designated European sites without mitigation. The site lies within the catchment area of the River Avon. With regard to impacts on Water Quality Natural England has advised that development within the catchment of the River Avon should be 'phosphate neutral' to avoid impacts on the integrity of the River Avon's Natura 2000 designations. Excessive nutrients (principally phosphates) in the River Avon and are causing eutrophication, leading to an increase in algae growth. This has an adverse impact on the habitats and species within the designated European nature conservation sites in the River Avon to which the Habitat Regulations apply.
- 8.11 The nutrient budget has been agreed with the Authority, and in order to achieve phosphate neutrality, the applicant has proposed the use of a package treatment plant (PTP) which would then drain into an on-site wetland area. Whilst details of the chosen package have been submitted, it remains necessary that a condition be attached to the permission, as before, to agree measures that would ensure nutrient neutrality as well as

the siting of the on-site wetland area. These measures will need to be in place prior to the occupation of the dwelling.

- 8.12 The Authority's Ecologist raised an objection to the proposal on the basis that it was originally proposed that the PTP drain offsite, and onto a Local Wildlife Site. As aforementioned, it is now proposed that the PTP drain into an on-site wetland area, and therefore this objection has been overcome. It was also noted that the findings of the ecology report are outdated in respect of the protected species survey. The building was assessed as having low bat roost potential, and no evidence in respect of bats was found on site. An informative can be attached to ensure the applicant is aware of his legal duties in respect of bats.
- 8.13 The site is located adjacent to the New Forest SPA. The Local Plan HRA recognised that some of the probable 400 windfall dwellings estimated to come forward over the Local Plan period were likely to be within the 400m zone of influence for urban edge effects on the New Forest SAC and SPA. The housing provision to be met by windfalls under the Local Plan equates to an average of 20 new dwellings per annum and the HRA recognised that individual windfall development proposals were therefore likely to be substantially smaller (as is the case in this application, one net new dwelling). Due to the expected small scale and wide distribution of individual windfall developments, the Local Plan HRA judged that these were not likely to give rise to significant urban edge effects on New Forest SAC or SPA, either individually or in combination with other windfall developments within 400m of the New Forest SAC and SPA.
- 8.14 It is noted that Hampshire Highways have requested further detail in respect of visibility splays. No response from HCC was received during the course of the previous application, and the response received from them as part of the 2017 application for two dwellings (which was refused by the Authority) in respect of visibility splays advised that the works should be undertaken in accordance with a license agreement, and no objection was raised. It is noted that it is also required that the access gates are set back at least 6 metres from the edge of the carriageway. This detail was not conditioned as part of the previous permission, and the gates are currently set back by a maximum of approximately 2.8 metres. Given the narrow width of the highway and to allow vehicles to pull in off the highway so as not to cause an obstruction, it is considered reasonable and necessary to attach a condition now which requires this set back.

### **Conclusion**

- 8.15 It is therefore recommended that permission be granted, as the proposal is in accordance with Policies DP2, DP8, DP18, DP50, DP52, SP5, SP6, SP7, SP14, SP15, SP16, SP17, SP19, SP21 and SP29 of the adopted Local Plan 2016-2036 (2019).

## **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. Development shall only be carried out in accordance with drawing nos:

80553-01 Rev B, 5873-03-AC-002, 5873-03-WLA-001, 5873-03-WLA-003 Rev A, 5873-03-WLA-100, 5873-03-WLA-101, 5873-03-WLA-102, 5873-03-WLA-200, 5873-03-WLA-201, 5873-03-WLA-300 Rev A, 5873-03-WLA-301 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 DP2 and DP18 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

3. The occupation of the dwelling and associated development hereby permitted shall be limited to persons solely or mainly working in the locality in commoning. Furthermore, the occupation of the dwelling shall be for rental purposes only, such tenancies to be managed solely by the New Forest Trust in perpetuity. The associated farm buildings and grazing land shall only be used in association with the occupation of the dwelling and shall at no time be severed from the holdings or sublet to another third party.

Reason: The dwelling and associated development is only justified on the basis that they are necessary to sustain the practice of commoning in the New Forest and to provide more affordable accommodation for New Forest commoners in accordance with Policy SP29 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

4. No development shall take place above slab level until samples or exact details of the facing and roofing materials for the dwelling, barn and stabling 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 buildings and to preserve the character and appearance of the Conservation Area in accordance with Policies DP2, DP18 and SP16 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

5. No development shall take place until a scheme of landscaping of the site shall be submitted to and approved in writing by the New Forest National Park Authority. This scheme shall include :
- (a) the existing trees and shrubs which have been agreed to be retained;
  - (b) a specification for new planting (species, size, spacing and location);
  - (c) areas for hard surfacing and the materials to be used;
  - (d) other means of enclosure;
  - (e) a method and programme for its implementation and the means to provide for its future maintenance.

No development shall take place unless these details have been approved and then only in accordance with those details.

Reason: To safeguard trees and natural features and to ensure that the development takes place in an appropriate way and to comply with Policies DP2, SP6 and SP17 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

6. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner.

Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size or species, unless the National Park Authority gives written consent to any variation.

Reason: To ensure the appearance and setting of the development is satisfactory and to comply with Policy DP2 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

7. 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 or C of Part 1 of Schedule 2 to the Order, shall be erected or carried out on the approved dwellings 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 SP21 and SP29 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

8. 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, SP15 and SP17 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

9. No development shall take place until the proposed slab levels in relationship to the existing ground levels set to an agreed datum shall be submitted to and approved in writing by the New Forest National Park Authority.

Development shall only take place in accordance with those details which have been approved.

Reason: To ensure that the development takes place in an appropriate way in accordance with Policy DP2 of the of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

10. No development shall take place until a Construction Environment Management Plan has been submitted and approved in writing by the National Park Authority. The Management Plan shall include the measures and recommendations within the Ecology Assessment (Arcadian Ecology Feb 2019) in respect of timing of works, ecological clerk of works, management of water on site, management of excavations and excavated material, location of materials storage, construction compound and contractor parking. Operations shall proceed and be maintained in accordance with the plan unless otherwise agreed in writing.

Reason: To safeguard protected species in accordance with Policies DP2, SP5 and SP6 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

11. No development shall take place until a Biodiversity Conservation and Enhancement plan for the land contained within the blue line along with a final specification of the artificial biodiversity compensation measures (e.g. type/design) for the site has been submitted and approved in writing by the National Park Authority. This shall include the following details:

details of desired nature conservation outcomes  
limits of acceptable environmental change, management measures proposed  
a monitoring framework to inform management and assess success of delivery, timetable for the implementation of the actions.

The plan shall cover the lifetime of the occupation and use of the land in question and include a five year plan with annual actions which will be subject to renewal and review as required by the Authority after each five year period.

Reason: To safeguard protected species and designated sites in

accordance with Policies DP2, SP5 and SP6 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

12. No development shall be carried out until proposals for the mitigation or offsetting of the impact of phosphorus arising from the development on the River Avon Special Area of Conservation (SAC), including mechanisms to secure the timely implementation of the proposed approach, have been submitted to and approved in writing by the New Forest National Park Authority. Such proposals must:

Provide for mitigation in accordance with the Authority's Interim Mitigation Strategy (or any amendment to or replacement for this document in force at the time), or for mitigation to at least an equivalent effect;

Provide details of the manner in which the proposed mitigation is to be secured. Details to be submitted shall include arrangements for the ongoing monitoring of any such proposals which form part of the proposed mitigation measures.

The development shall be carried out in accordance with and subject to the approved proposals.

Reason: The impacts of the proposed development must be mitigated before any development is carried out in order to ensure that there will be no adverse impacts on the River Avon Special Area of Conservation (SAC), in accordance with the Authority's Interim Phosphorus Mitigation Strategy.

13. The stables and barn subject of this permission shall only be used for commoning or agricultural purposes and for no other commercial, business or storage purposes whatsoever.

Reason: The buildings are only justified on the basis that it is necessary for agriculture and in accordance with Policies DP50 and DP52 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

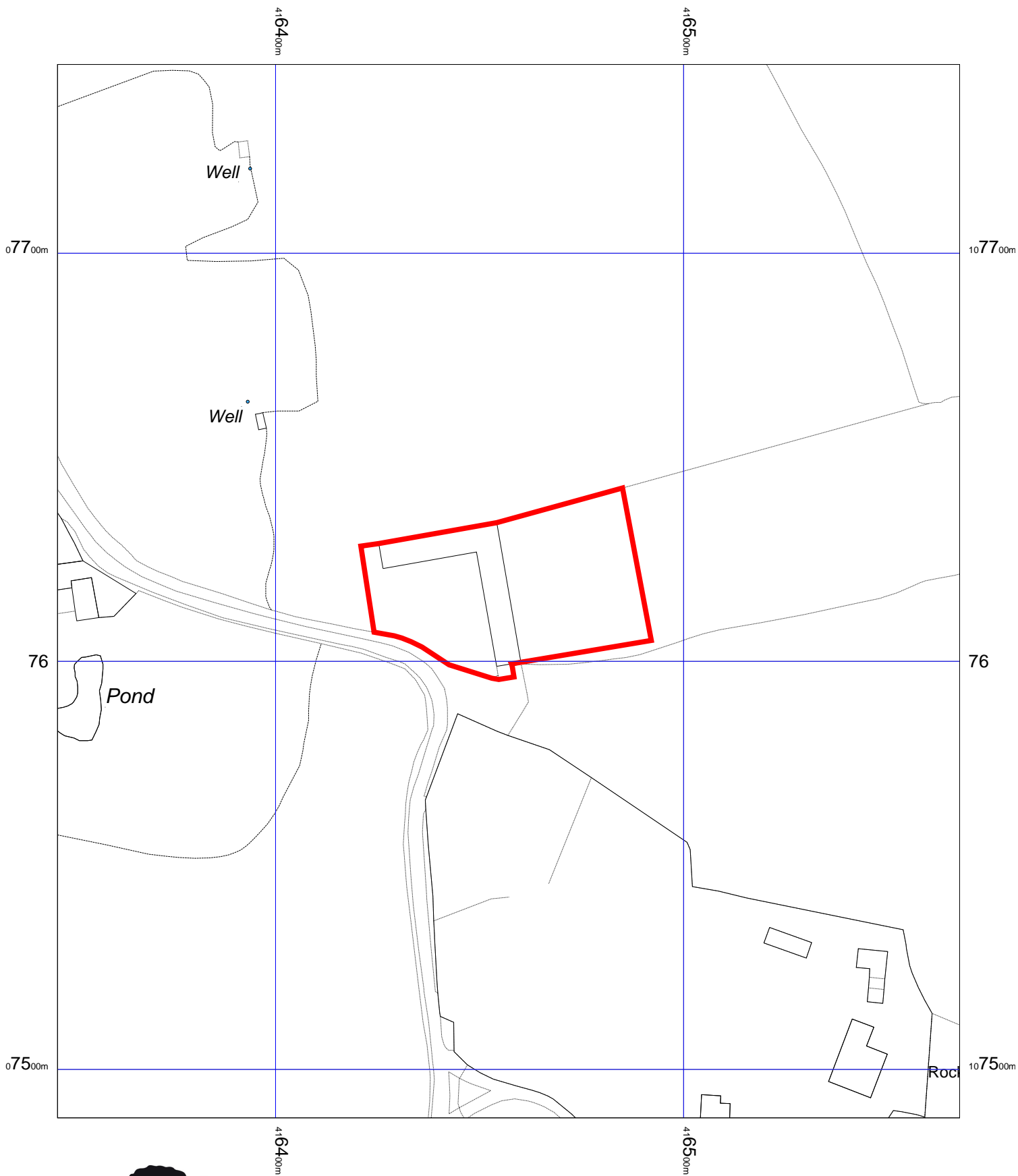
14. The vehicular access gates shall be set back at least six (6) metres from the edge of the carriageway, and shall remain as such in perpetuity.

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

**Informative(s):**

1. All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 41 of the Conservation of Habitats and Species Regulations 2010. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England

contacted for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement and given the relevant contact number for Natural England, which is 0300 060 3900.



NEW FOREST  
NATIONAL PARK

New Forest National Park Authority  
Lymington Town Hall, Avenue Road,  
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Tel: 01590 646600 Fax: 01590 646666

Date: 18/08/2023

**Ref: 22/00175**

**Scale: 1:1250**

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**Application No:** 22/00498 Full Application

**Site:** Land East of New Inn Road, Bartley SO40 2LR

**Proposal:** 10no. new dwellings; relocated vehicular and pedestrian access: associated parking and landscaping (AMENDED PLANS)

**Applicant:** English Rural Housing Association

**Case Officer:** Carly Cochrane

**Parish:** Copythorne Parish Council

**1. REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish Council view  
Rural Exception Site

**2. POLICIES**

**Development Plan Designations**

Tree Preservation Order

**Principal Development Plan Policies**

- DP2 General development principles
- DP18 Design principles
- SP3 Major development in the National Park
- SP4 Spatial strategy
- SP5 Nature conservation sites of international importance
- SP6 The natural environment
- SP7 Landscape character
- SP15 Tranquillity
- SP17 Local distinctiveness
- SP19 New residential development in the National Park
- SP21 The size of new dwellings
- SP28 Rural exceptions sites
- SP38 Infrastructure provision and developer contributions

**NPPF**

- Sec 5 - Delivering a sufficient supply of homes
- Sec 15 - Conserving and enhancing the natural environment

**Supplementary Planning Documents**

- Design Guide SPD
- Development Standards SPD

### **3. MEMBER COMMENTS**

None received

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

Copythorne Parish Council: Recommend refusal for the following reasons:

- SP28: Do not believe the conditions have been met. Several other large scale affordable housing developments have recently been approved in neighbouring parishes/towns (Ashurst, Netley Marsh/Totton) with greater links to local services, public transport etc.
- Highways issues: The Parish Council know what actually happens on the ground. Already the volume and activities of traffic at school drop off/collections time are unsafe, especially for children.
- Design: Building height in relation to neighbouring properties. Proposed buildings will be overlooked. Plots 3 to 6 in particular are too high.
- Flooding: Suggested SUDS drainage system not proven. Ground water monitoring has not been undertaken. Documents recently shared by the application to HCC as LLFA have not been updated to the NFNPA Planning Portal or shared with the Parish Council.
- Sewerage: Existing infrastructure is poor.
- Local distinctiveness: The proposals put forward by the developer for the site are the opposite of what is around it.
- Public transport: Lack of local services. Buses only run on two days of the week.
- Parking: Considered to be inadequate for the development and likely to spill out to an already busy road.

### **5. CONSULTEES**

Archaeologist: No objections, no proposed conditions.

Building Design & Conservation Area Officer: Support subject to conditions

Planning Policy Officer: Considers that the proposal would meet the requirements of Policy SP28 and would address an identified local need.

Tree Officer: Support subject to conditions

Landscape Officer: No comment provided.

Hampshire County Council Access Development: No response received.

Hampshire Country Council Children's Services: No additional primary or secondary school places needed to fulfil anticipated need arising from the proposed development.

Hampshire County Council Flood and Water Team: Objection raised to the initially proposed method of surface water management. No objection raised to the alternative method submitted, subject to condition.

Hampshire County Council Highways: No objection subject to condition

Natural England: Further information required. Update to be provided to Members at Planning Committee.

New Forest District Council Housing: Provision of new rural affordable housing to rent is welcomed and will meet a local need.

Southern Water: No objection subject to recommended condition.

## 6. REPRESENTATIONS

86 letters of representation have been received from 43 representees, and some representees have submitted multiple comments. Of these 43 representees, two are in support of the application; 40 object and one makes comments to seek clarification. The material planning considerations raised are summarised, as follows:

Support:

- Development is much needed, built to enable local people or with link to the village to apply for one, and supports the younger generation who are unable to rent or buy locally due to high costs

Objection:

### Flooding/surface water run-off/drainage

- Concern that development on the land would exacerbate levels of surface water run off and displace it onto other properties, where there is already a flooding issue.
- Concern that the surveys carried out were not done at the appropriate times of year and therefore do not accurately reflect the flooding issues and levels of waterlogging.
- Concern with regard to impacts on nitrate and phosphate pollution
- Existing ground instability.
- Current drainage infrastructure cannot cope with the proposed new dwellings.

### Highway safety/Parking/Transport links

- New Inn Road suffers congestion, cars parked along the verges and high vehicle speeds. At times when cars are parked along the road, there is limited visibility.
- Public transport links in Bartley are very poor and therefore car ownership is a necessity.
- Development will create a dangerous junction.
- New Inn Road is also used by lots of cyclists and horse riders.

- Traffic count survey was undertaken just after schools reopened in March 2021 and after school drop off time, and therefore does not accurately document the situation.
- Majority of community uses are on northern side of Southampton Road, and the crossing here is hazardous.
- Submitted Transport Statement includes errors in its detail.

### SP28 and Policy

- Proposal does not meet or comply with the policy requirements- there is insufficient public transport.
- Contrary to the NPPF.

### Design

- Concerns in respect of ground levels and the provision of flat surfaces for access.
- Concerns in respect of bin-carry distances.
- Dwellings bear no resemblance to the local area and appear out of keeping.
- No 1-bed units proposed.
- Overdevelopment of the site and area.
- Adverse impact upon the visual amenity of the area.
- There are no other flats in Bartley and the provision of them is out of keeping.
- Layout does not respect patterns of development in the area.

### Neighbouring amenity

- Concerns with regard privacy and overlooking.

### Affordable Housing

- Already have 'quota' of affordable housing in Bartley- query why are other areas not being considered.
- Number and nature of units proposed does not relate to the NFDC figures.
- Housing needs survey is out of date.

### Other

- There remains an access to the rest of the agricultural land. Concerns over a future phase 2 as the applicant has an option on the remainder of the land.
- Concerns with regard impact on wildlife
- Severe pressure on pasture land in Copythorne

A letter of representation has also been received from Hampshire Swifts, with the request that at least 10 integral swift bricks are installed in accordance with best practice.



## **7. RELEVANT HISTORY**

No relevant planning history.

## **8. ASSESSMENT**

### **Introduction**

- 8.1 The application site is located to the eastern side of New Inn Road and comprises a parcel of agricultural land measuring approximately 0.3 hectares and which is currently used for the grazing and keeping of livestock. The site is part of a wider parcel of agricultural land, which adjoins The Haywain Public House in the north, and further agricultural land to the east. The site immediately adjoins the boundaries of residential properties at Oakfield Road to the south, and to the west and across New Inn Road are further residential properties arranged in a linear form and spanning the length of New Inn Road. The site is not within a conservation area, and it is approximately 350 metres to the New Forest SSSI and the New Forest's international nature conservation designations. There is a Tree Preservation Order (TPO/0007/20) which protects seven individual Oak trees and a group of five Oak trees, located along the west, south and eastern site boundaries. Access into the site is currently within the south western corner, adjacent to the residential property of Oakfield House, and a grass verge and ditch with the aforementioned TPO Oak trees border the western site boundary.

### **Proposed Development**

- 8.2 This application seeks permission for the erection of ten affordable dwellings, with six two storey houses and four apartments arranged with two units (two storey houses) facing New Inn Road, and two staggered 'L' shaped blocks of four dwellings each, laid out to mirror one another and create a central courtyard. The units would have a floorspace of between 64 square metres and 93 square metres in accordance with Policy SP21. Each unit would have its own private garden area with small outbuilding and bin store, and two parking spaces per unit have been allocated (in accordance with Annex 2 of the Local Plan); some of the spaces are under covered car ports. Three visitor spaces have also been allocated. A five-bar gate is to be provided adjacent to the northern boundary in order to allow access for the owners into the agricultural land not subject of this application. An area measuring approximately 300 square metres between this gate and the entrance to the site would be planted as a species rich meadow. Gardens along the southern and western part of the site would be enclosed by 1.8 metre high hit and miss timber fencing, with a green 'buffer' between the fence and the site boundaries. Gardens along the northern boundary would be enclosed by a 1.2 metre high post and chainlink fence, again set back from the site boundary with a 0.9 metre high stockproof fence along the site boundary.

### **Policy Background**

- 8.3 The National Planning Policy Framework (NPPF) (2023) states “in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs.” This is consistent with the National Parks Circular (2010), which is cross-referenced in both the NPPF and also the National Planning Practice Guidance (NPPG) resource on ‘landscape’. Paragraphs 78 and 79 of the Circular state “The expectation is that new housing [in National Parks] will be focused on meeting affordable housing requirements, supporting local employment opportunities and key services. The Government expects the [National Park] Authorities to maintain a focus on affordable housing and to work with local authorities and other agencies to ensure that the needs of local communities in the Parks are met and that affordable housing remains so in the longer term.”
- 8.4 The evidence base for the New Forest National Park Local Plan review identified a significant affordable housing need arising from the communities within the National Park. The delivery of affordable housing on rural exception sites plays a key role in meeting these identified needs in the New Forest National Park outside of the four 'defined villages'. A rural exception site policy exists in many areas of the country and has been in place for decades in the New Forest to provide housing for people with a local connection to the relevant parish. Policy SP19 (New residential development in the National Park) of the Local Plan makes provision for an additional 800 net new dwellings in the New Forest National Park between 2016 – 2036. An important element of this new housing provision (making up half the total planned provision) is ‘windfall sites’, comprising land not otherwise allocated for housing. Windfall site development in the National Park includes rural exception sites and over 30 dwellings have been completed on such sites in Brockenhurst, Bransgore, Breamore and Pilley since the National Park was designated in 2005.
- 8.5 As aforementioned, the NPPF confirms that in rural areas, authorities should plan housing development to reflect local needs, particularly for affordable housing, including through rural exception sites. Outside the defined villages of the National Park and the housing site allocations, rural exception sites can provide an important source of affordable housing to meet local needs on land that would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have a connection to the area. Whilst the NPPF may allow for small numbers of full market homes upon a rural exception site, the viability assessment which formed part of the Local Plan evidence base concluded that open market housing on rural exception sites is not necessary to make them deliverable within the context of the National Park. However, the evidence does highlight that a degree of flexibility may be required on the tenure of affordable housing on rural exceptions sites to ensure they are viable, and the Local Plan therefore supports an element of shared ownership/intermediate ownership affordable housing (25%) alongside affordable rented housing (75%). This application reflects the strategic policy position set out in the adopted Local Plan.

8.6 Policy SP28 therefore permits small-scale rural exception sites, in locations in or adjoining villages (not only defined villages) to meet the identified needs of local people in these areas, where 100% of the housing is affordable. Proposals for such exception sites should meet the following criteria, and therefore:

- a) Meet a particular local need that cannot be accommodated in any other way;
- b) Be subject to a planning obligation under Section 106 of the Town and Country Planning Act (1990) to ensure that the dwellings provide for low-cost housing for local needs in perpetuity;
- c) Be capable of management by an appropriate body, for example a Registered Provider, the Authority, or a community land trust or similar accredited local organisation; and
- d) Be located where there are appropriate local services (e.g. shops, schools and public transport).

In addition, Policy SP21 (The size of new dwellings) limits new dwellings to a maximum total internal habitable floor area of 100 square metres.

### **Preapplication advice**

8.7 Preapplication advice was sought in respect of this development in 2021, which led to the TPO being served to ensure that the amenity trees were protected. The conclusions given were that the location of the proposed development regarding proximity and access to local services in Copythorne was considered suitable in principle and that there is evidence of a local housing need, and that access, design, trees and impacts upon ecology and nitrates would need addressing as part of any future application.

### **Site selection**

8.8 As aforementioned, the evidence base for the Local Plan review indicated a significant affordable housing need arising within the National Park. This local need amounted to circa 71 affordable dwellings per annum, far in excess of the scale of development planned for in the Local Plan. This indicates a significant unmet affordable housing need arising from within existing communities.

8.9 The Copythorne parish housing needs survey from 2014 recommended the development of 10-15 affordable dwellings to address local needs arising. Following this housing needs survey, approximately 30 sites within the Parish were considered, of which eight had scope for development. Amongst these eight sites, 'site 5a' was considered by Authority Officers as a potentially suitable site for a small affordable housing development, 'subject to appropriate access being sought'. It was also noted that 'the site lies in close proximity to facilities and is unlikely to have a detrimental impact on other adjoining residential development'. 'Site 5a' site is the application site.

8.10 In terms of alternative options for meeting local affordable housing needs, it should be noted that there are no housing site allocations in the parish of Copythorne. As none of the settlements in the Parish, which has a total

population of approximately 2,750, have defined settlement boundaries (i.e. they are not one of the defined villages as per Policy SP4) no net new dwellings, including affordable dwellings, have been completed in the Parish for over 15 years. The last housing development of any scale in the Parish was at Rockram Close, which was granted permission in 2004 before the National Park was designated. Local housing needs arising in Copythorne will not be directly addressed by development in neighbouring areas such as the housing site allocations at Ashurst and Lyndhurst, where the new affordable housing to be provided will have a local connection to those parishes in the first instance; or on land outside the National Park (e.g. land north of Totton in New Forest District), where the affordable housing provided will not be covered by a local connections criteria and will instead be available for people in priority housing need across the whole of New Forest district. It is therefore clear that rural exception site development is the best way to address local housing needs in Copythorne and the only route that ensures local housing needs arising in the parish are met through new development.

### **Mix and Tenure**

- 8.11 The proposed mix of dwellings is as follows:
- 4 x 2 bedroom/4 person houses, 79sqm
  - 2 x 3 bedroom/5 person houses, 93sqm
  - 4 x 2 bedroom/3 person flats, 64sqm
- 8.12 The proposed development would provide ten affordable rented units, which although does not meet the whole of the identified need as per the housing needs survey, would represent a significant contribution to addressing this need. The tenure of the units would be subject to the rural local connection requirements of the New Forest District Council's (NFDC) Housing Allocations Policy. This gives priority to those with a local connection to the parish, followed by those with a local connection to neighbouring parishes. This means of allocation is reflected in Policy SP28 and Annex 3 of the adopted Local Plan and would also be controlled by the legal agreement.

### **Management**

- 8.13 The application has been submitted by, and the units would be owned and managed by, English Rural, who are one of the leading rural affordable housing providers in the country and who have been in operation for over 30 years. English Rural manage over 1,250 existing affordable properties in the country and are an existing member of NFDC's Homesearch partnership as well as being one of NFDC's preferred affordable housing providers. English Rural are therefore an 'appropriate body' for the purposes of considering this application and meeting the policy requirements.

### **Local services**

- 8.14 With the exception of the defined villages, and when compared with other villages and communities within the National Park, the Bartley and Cadnam area has a reasonable range of local services. There is a local

post office and Fourways store in Bartley. Close to the application site is the Haywain public house, Bartley junior school, the Spar local store, pharmacy, garden centre, village hall and other local conveniences. The A336 Southampton Road is served by public transport. Within the context of the wider National Park then, this is a reasonable range of local services and notably, a greater range available than at sites in communities such as Breamore and Pilley where rural exception sites have previously been supported. Arguably, the location is one of the most appropriate when considering access to and availability of appropriate local services which provide the necessary amenities for day to day living.

- 8.15 To summarise, the proposal is considered to satisfy all requirements of Policy SP28 and is therefore policy compliant in this respect.

### **Design**

- 8.16 With ten proposed units upon a 0.3 hectare site, the overall development density equates to circa 30 dwellings per hectare. This is not considered to be inappropriately high, with national planning policy encouraging the efficient use of land and densities of greater than 50 dwelling per hectare in areas with good accessibility to public transport. Plot sizes, particularly in relation to the two 3 bedroom/5 person houses which have been designed as a semi-detached pair, are not significantly dissimilar to those with the local area. The layout and grain of development found at New Inn Road and surrounding roads, such as Oakfield Road, New Inn Lane and Abbotsford, and within the wider area, along Shepherds Road, Shepherds Close and Pundle Green, is relatively compact, and the proposed development would not appear so different in its layout and density such that it would be considered incongruous.
- 8.17 The ground levels within the site slope east to west, and rather than building the land up so that the dwellings sit upon the same ground level, the dwellings are staggered to reflect the levels; this also provides opportunity to reduce the visual impact of the development as there would be limited artificial ground raising.
- 8.18 There is wide variety in the design, scale and materials of dwellings within the locality, and few are considered to be of a traditional 'Forest' design or be of any architectural merit; those dwellings which do appear to be of some historic interest have had their traditional features eroded through the use of modern materials and the addition of large extensions. There are no listed buildings or non-designated heritage assets within the immediate area, and therefore there is no set character and appearance to the area. The proposed dwellings would be simple in their appearance, with limited fenestration, and the blocks would feature diminishing ridgelines so as to distinguish between units and reduce massing. The proposed materials palette and configuration has been subject to some negotiation, and resultantly is comprised of a mix of brick, with horizontally hung stained timber cladding to the majority of the first floors, slate roofs and dark grey windows and doors. Whilst, as identified, there is variety within the materials used in the local area, cues have been taken from the local vernacular in respect of the use of brick and slate.

These materials, along with the natural timber cladding, are supported within the adopted Design Guide SPD. To replicate the housing style within the immediate locality would be neither desirable, for reasons stated, or viable. The overall design of the proposed units is considered to be appropriate, and would contribute to the character and appearance of the area. Overall, it is not considered that the proposal would result in any harmful impact upon the visual amenity of the area.

### **Impact upon neighbouring amenity**

- 8.19 The application site and units closest to the southern boundary would back onto properties at Oakfield Road, notably Oakfield House and number 14 Oakfield Road. The relationship of these properties with the proposed units are side/side in respect of Oakfield House (although the dwelling has its front door facing Oakfield Road, it is clear that the dwelling was originally constructed within its front elevation facing New Inn Road, and therefore the fenestration layout upon the side (northern) elevation is typical of a side elevation) and Plot 2, and back/back in respect of 14 Oakfield Road and Plots 3 and 4. The plans show separation distances of approximately 20 metres between the respective existing and proposed dwellings. The ridge heights of the proposed new dwellings would measure approximately 8.4 metres, which is similar to the dwellings proposed at the allocated site at Whartons Lane. Fenestration upon the southern elevations of the dwelling in the block and the semi-detached dwelling is limited, particularly at first floor level, with four openings in total and one rooflight, and the plans are annotated to show that the first floor windows upon this elevation would be obscure glazed.
- 8.20 In respect of back to back separation distances for two storey dwellings, 20 metres is widely accepted as being sufficient to protect residential amenity. Similar or lesser back to back distances can be found between properties at New Inn Lane and Abbotsford, and New Inn Lane and Oakfield Road. As aforementioned, there would be limited fenestration upon the elevations facing the existing dwellings at Oakfield Road. Consideration must also be given to the amenity of future occupiers; 14 Oakfield Road comprises dormer windows within the roof and currently enjoys views of the agricultural land. It is therefore considered reasonable to suggest that there would be a degree of overlooking into the new rear gardens of the units, and that this impact is likely to be greater than the overlooking of existing properties by the new units. Further, the existing vegetation along the boundary would be retained, and additional tree planting is proposed along this boundary to provide additional screening.
- 8.21 It is accepted that the outlook currently experienced by the occupiers of properties at Oakfield Road would alter as a result of the development. The southern block of units would measure a total width of approximately 25 metres and align with the plot of 14 Oakfield Road; this is therefore the dwelling most impacted by the proposed development. The garden area serving this property is to the side and east of the dwelling, and therefore not directly aligned with the proposed new units. However, due to the separation distances, it is not considered that the proposed

development would result in a significantly harmful overbearing impact. Similarly, and in combination with the location of the properties at Oakfield Road to the south of the development site, it is not considered there would be any adverse impact in respect of overshadowing or direct loss of light.

- 8.22 Likewise, it is not considered that the layout or design of the units would give rise to amenity impacts for the future occupiers of the dwellings within the development.

### **Trees**

- 8.23 Trees along the boundaries of the site are protected by a TPO, and some trees not included within the TPO are proposed to be removed. It is not considered that the proposal would directly impact upon or result in the protected trees being compromised, however, the proposal is accompanied by a landscaping plan, the details of which, along with Tree Protection Measures, can reasonably be conditioned. There is no objection from the Authority's Tree Officer.

### **Open space provision**

- 8.24 On-site public open space provision in new developments is typically sought when a meaningful area of open space (as distinct from private amenity space) can be provided against the policy requirements. A quantitative figure of circa 0.2 hectares for central open space is the smallest area many planning authorities accept as meaningful in terms of providing some public open space functions. Areas smaller than this are considered too small to be usable and become a burden to maintain. This application generates a public open space requirement of 0.08 hectares (850m<sup>2</sup>), which is well below the minimum quantitative figure that planning authorities typically seek and is too small to offer the necessary open space functions. However, in order to seek contributions from developers towards the improvement of existing open space or the provision of new open space there needs to be up-to-date evidence of either a quantitative or qualitative deficiency of open space. Outside of sites within the defined villages, there is no existing up to date evidence of open space provision and deficiencies which would enable the Authority to seek contributions towards open space in this instance. Therefore, when considered against the legal tests for seeking contributions, it is not justified in this instance.

### **Highways**

- 8.25 Significant concern has been raised in relation to highway safety and the additional pressures on the localised highway network arising as a result of the proposed development. It has been evidenced through representations that New Inn Road experiences high volumes of traffic at particular times of the day which coincide with the drop off and collection times at Bartley Junior School, with on-road parking resulting in reduced space left available for traffic passing through. This is clearly an existing issue which is beyond the control of the applicant and the Authority; the entirety of New Inn Road is unrestricted and therefore parking on the

highway is not prohibited. New Inn Road is a 30mph single carriageway road and it also has a continuous footway provision along its entirety. The proposal includes the creation of a footpath to the north of its access, which would then connect to a pedestrian crossing. Access into the site would be via an existing agricultural access, which would be widened to approximately 10 metres and provide a 5.5 metre wide internal road. The Highway Authority have considered Personal Injury Accidents (PIA) data obtained from Hampshire Constabulary and identified four accidents within the vicinity for a period between 2016-2021. The number of forecasted trips generated by the proposed development would be approximately five additional trips between the A.M and P.M peak periods, with an additional 45 daily trips. The level of trips generated is considered acceptable, and it is also not considered that this level of additional trips would exacerbate existing accidents patterns. The visibility splays proposed are also considered appropriate. It is noted that outside of the identified peak periods, New Inn Road is not considered to be subject to significant or heavy volumes of traffic. Overall, it is not considered that the proposal would result in any significant or significantly exacerbated impacts in respect of highway safety. National planning policy confirms, "...development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe..." - paragraph 11, NPPF, 2023. The consultation response from the statutory highways authority confirms this is not the case with this application.

- 8.26 In respect of the layout and parking provision within the site, swept paths have been provided which are considered acceptable. Two parking spaces per unit would be provided, and whilst not explicit, the small outbuildings within the gardens would provide cycle storage. It is therefore considered that the proposed development would meet the required standards set out in Annex 2 of the Local Plan (2019).

### **Surface water run off/flooding**

- 8.27 Significant concern has also been raised in respect of surface water run off and the impacts in respect of flooding already experienced at properties within the area. The applicant's initial proposal in respect of surface water drainage was not supported by the Lead Local Flood Authority (LLFA) as there was insufficient evidence available to ascertain the effectiveness of the proposed system, and it was considered that there were alternative methods for managing surface water run-off available to the applicant that would appropriately address the matter. As such, further survey work was conducted and an existing field ditch, falling within the application site, was identified. Resultantly, the drainage strategy was revised to make use of this ditch, into which surface water run-off already drains to due to the topography, and the concerns of the LLFA have been overcome. Ordinary watercourse consent will be required in order to connect to the ditch, and a condition in relation to the long term maintenance arrangements for the surface water drainage system has been recommended.

### **Mitigation of recreational impacts**



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

### **Nutrient Impacts**

8.29 Natural England have advised that there is uncertainty as to whether future housing and visitor accommodation development will adversely impact the protected habitats of the Solent due to increased levels of nitrates entering the system. In accordance with Natural England's advice to local planning authorities along the Solent coast, the potential impacts from nitrates have been considered in assessing this application. The applicant has provided a nutrient budget which has been assessed. Natural England have queried the occupancy rate used and have incorrectly identified the New Forest District Council occupancy rate which is based on development within New Forest district - a separate local planning authority with a different demographic and development profile. The National Park Authority applies the occupancy figure recommended in Natural England guidance and methodology, which is based on Census data. It is this figure that has been correctly used by the applicant within the nutrient budget.

8.30 The application site is within the Bartley Water sub-catchment of the Solent. For nutrient mitigation purposes the impacts of new development in this area of the New Forest National Park can be off-set in the wider Test & Itchen catchment, as per Natural England's guidance. The National Park Authority has an overarching legal agreement in place with Eastleigh Borough Council to enable development in this area of the National Park to access available nitrate credits from the Eastleigh

Borough Council mitigation sites in the Test & Itchen catchment. The Borough Council's schemes have available capacity and it is envisaged the applicant will purchase credits from this approved scheme. This will be secured by an appropriately worded planning condition.

- 8.31 Natural England has been consulted further, and an update will be provided at the committee meeting. Subject to securing appropriate mitigation in order to achieve a nutrient neutral scheme, the Authority's obligations as a 'competent authority' under the Conservation of Habitats and Species Regulations 2017 are considered to be met.

### **Biodiversity Net Gain**

- 8.32 Policy SP6 requires opportunities to enhance ecological assets to be maximised and the Environment Act received royal assent in November 2021 with biodiversity gain objectives and will become mandatory later this autumn. The applicant has used the DEFRA 3.1 metric to assess the proposals. This metric provides a way of measuring and accounting for biodiversity losses and gains from development. It has been applied to the existing and proposed habitats on the site. The calculation shows a total net habitat gain of 0.25 habitat units and 0.22 hedgerow units, which equates to a 12.59% increase for habitat units and 74.87% increase for hedgerow units and as such, the net gain for biodiversity requirements have been met. These measures would be secured by condition and results in the required biodiversity net gain objectives being delivered on-site as part of the development.

### **Other**

- 8.33 Hampshire County Council, as the local education authority, has confirmed that the development would generate a total of three additional primary age children. The site would be served by Copythorne Infant and Bartley Junior Schools, and although both schools are at capacity, they are forecasting surplus places and consequently, no additional primary school places will be needed to cater for the forecasted additional pupils. Hounslowdown Secondary School also serves the site; this school does not fill from within its catchment area and therefore no additional secondary school places will be needed.
- 8.34 In accordance with the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, the applicant's written agreement has been received in relation to the proposed pre-commencement conditions.

### **Conclusion**

- 8.35 The proposal provides the opportunity to meet an identified local housing need, within an appropriate location in respect of access to local facilities and amenities, and without resulting in any significant harm to either the character and appearance of the area, neighbouring amenity, highways or trees. Both national and local planning policy places a strong emphasis on the delivery of affordable housing in National Parks for local people in housing need and this proposal has been brought forward by an established provider of rural exception sites. Appropriately worded

conditions can secure the necessary mitigation measures in respect of recreational impacts and nitrates, and it is therefore recommended that permission is granted, subject to a Section 106 legal agreement.

## 9. RECOMMENDATION

Subject to the prior completion of a section 106 agreement the Executive Director of Strategy & Planning be authorised to grant planning permission subject to the following 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:

2842-APLB-XX-00-DR-A-1000 Rev P02, 2842-APLB-XX-00-DR-A-1002 Rev P02, 2842-APLB-XX-00-DR-A-1105 Rev P17, 2842-APLB-XX-00-DR-A-1107 Rev P04, 2842-APLB-XX-00-DR-A-2000 Rev P07, 2842-APLB-XX-01-DR-A-2001 Rev P07, 2842-APLB-XX-02-DR-A-2002 Rev P05, 2842-APLB-CT-00-DR-A-2100 Rev P07, 2842-APLB-XX-XX-DR-A-3010 Rev P05, 2842-APLB-XX-XX-DR-A-3011 Rev P05, 2842-APLB-XX-XX-DR-A-3012 Rev P06, 2842-APLB-XX-XX-DR-A-3013 Rev P06, 14390\_S1, 20254-01a, 20254-01b, LP01.

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. The ten residential units hereby approved shall be used solely for the purposes of affordable housing for rent as defined in Annex 2 of the National Planning Policy Framework (2023).

Reason: The dwellings are only justified on the basis that it is necessary to provide housing to meet a locally identified need within the settlement of Copythorne, in accordance with Policy SP28 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

4. No development shall take place until the proposed slab levels in relationship to the existing ground levels set to an agreed datum shall be submitted to and approved in writing by the New Forest National Park Authority.

Development shall only take place in accordance with those details which have been approved.

Reason: To ensure that the development takes place in an appropriate way in accordance with Policy DP2 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

5. 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).

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

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

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

7. All hard and soft landscape works shall be carried out in accordance with the approved details, plan no. LP01. The works shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner.

Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size or species, unless the National Park Authority gives written consent to any variation.

Reason: To ensure the appearance and setting of the development is satisfactory and to comply with Policy DP2 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

8. Prior to the commencement of development ecological mitigation for the Solent and New Forest Special Protection Areas, Special Areas of Conservation and Ramsar sites shall be submitted to and approved in writing by the New Forest National Park Authority. The ecological mitigation may take the form of a planning obligation which secures financial contributions in accordance with the Authority's Habitat Mitigation Scheme and the Solent (SRMP) Explanatory Note.

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

9. 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 Ecological Impact Assessment (November 2022) hereby approved. 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).

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

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

11. The outbuildings 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).

12. 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).

13. No first floor windows other than those hereby approved shall be inserted into the units unless express planning permission has first been granted.

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).

14. No development, demolition or site clearance shall take place until the arrangements to be taken for the protection of trees and hedges on the site (as identified for protection in the approved plans), have been submitted to and approved in writing by the Local Planning Authority.

The agreed arrangements shall be carried-out in full prior to any activity taking place and shall remain in-situ for the duration of the development.

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

15. The development hereby permitted shall not be occupied until:

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

- b) A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved

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

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

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

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

16. No development shall take place, (including any works of demolition), until a Construction Method Statement has been submitted to, and approved in writing by, the National Park Authority. The approved statement shall include scaled drawings illustrating the provision for –

- (a) A programme of and phasing of demolition (if any) and construction work;
- (b) The provision of long term facilities for contractor parking;
- (c) The arrangements for deliveries associated with all construction works;
- (d) Methods and phasing of construction works;
- (e) Access and egress for plant and machinery;
- (f) Protection of pedestrian routes during construction;
- (g) Location of temporary site buildings, compounds, construction material, and plant storage areas.

Works shall only take place in accordance with the approved details.

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

17. The drainage system shall be constructed in accordance with the 'Addendum to Drainage Report' dated 09 June 2023. Any changes

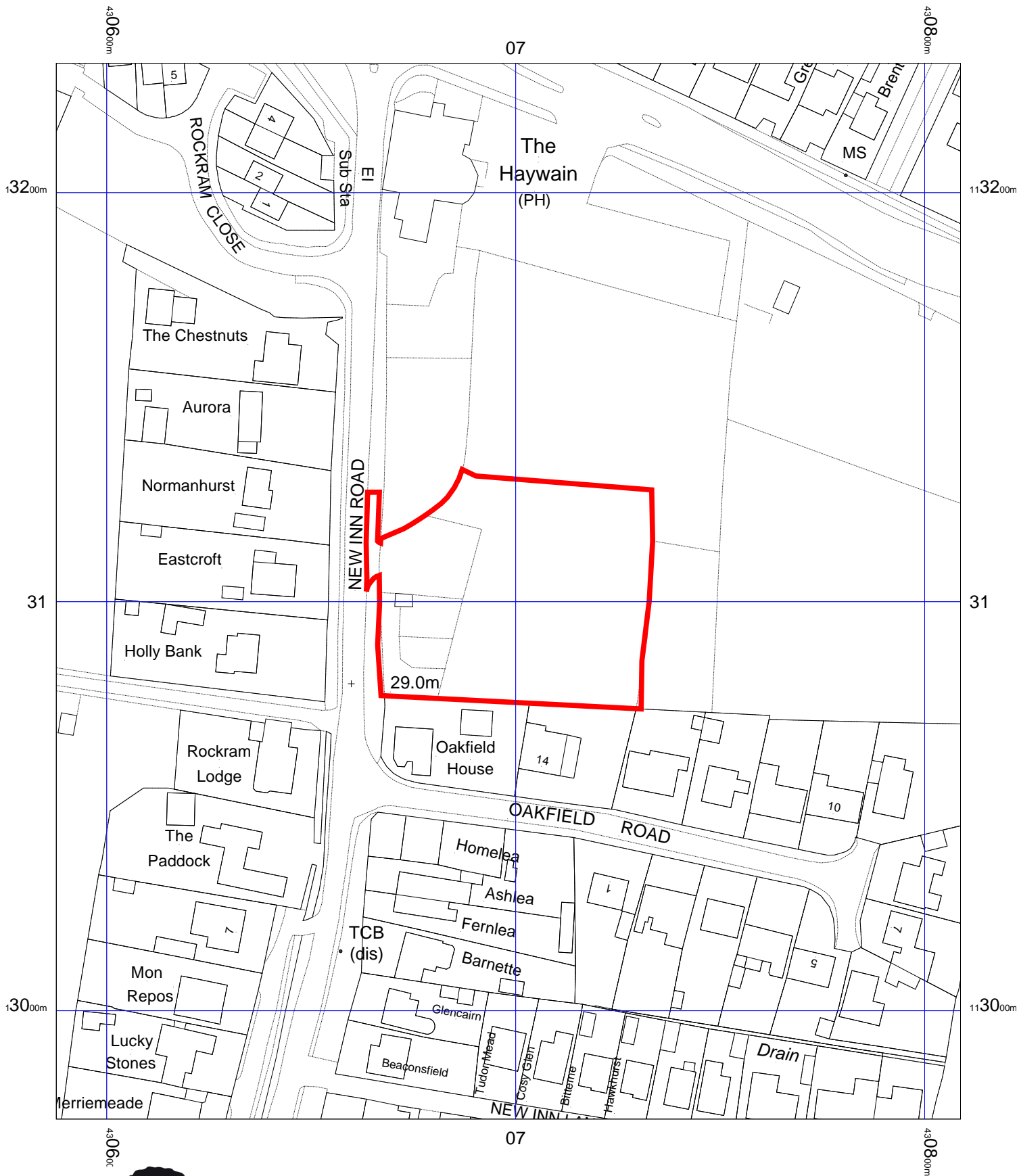
to the approved documentation must be submitted to and approved in writing by Local Planning Authority in consultation with the Lead Local Flood Authority. Any revised details submitted for approval must include a technical summary highlighting any changes, updated detailed drainage drawings and detailed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

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

18. All dwellings to be provided shall comprise dwellings of maximum total internal habitable floor space of 100 square metres.

Reason: To meet the identified local housing need for smaller dwellings and to accord with Policy SP21 of the New Forest National Park Local Plan 2016-36 (August 2019)





New Forest National Park Authority  
Lymington Town Hall, Avenue Road,  
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**Application No:** 22/00548 Outline Planning Permission

**Site:** Ashurst Hospital, Lyndhurst Road, Ashurst SO40 7AR

**Proposal:** Hybrid application comprising: Outline planning application (all matters reserved except for access) for up to 70 bed care home; associated car parking and landscaping; additional healthcare car parking; Full planning application for two storey extension to the Snowden Centre building; associated car parking and landscaping (ADDITIONAL PLAN & INFORMATION)

**Applicant:** NHS Property Services Ltd

**Case Officer:** Natalie Walter

**Parish:** Ashurst and Colbury Parish Council

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**1. REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish Council view.

Site allocation.

**2. POLICIES**

**Development Plan Designations**

Site Allocation

Tree Preservation Order

**Principal Development Plan Policies**

SP23 Land at Ashurst Hospital

SP4 Spatial strategy

SP5 Nature conservation sites of international importance

SP6 The natural environment

SP7 Landscape character

SP15 Tranquillity

SP16 The historic and built environment

SP17 Local distinctiveness

SP19 New residential development in the National Park

SP20 Specialist housing for older people (Use Class C2)

SP39 Local community facilities

DP2 General development principles

DP8 Safeguarding and improving water resources

DP18 Design principles

## **NPPF**

Sec 5 - Delivering a sufficient supply of homes

Sec 12 - Achieving well-designed places

Sec 15 - Conserving and enhancing the natural environment

Sec 16 - Conserving and enhancing the historic environment

## **Supplementary Planning Documents**

Ashurst and Colbury Village Design Statement

Design Guide SPD

### **3. MEMBER COMMENTS**

None received

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

Ashurst and Colbury Parish Council: Recommend refusal.

#### **Initial consultation:**

Our issues are principally concerned with traffic and parking for both elements of the application, and the impact of such a large (as in number of beds) Care Home upon tranquility and the environment.

We believe it does not comply with SP23, SP15, SP17 and DP2:

#### **SP23: Land at Ashurst Hospital**

This allows for “around 30 residential units” (Class C2). The applicant states that the NPA assesses 30 units as equating to 54 residents, based on 1.8 resident per unit. We have requested the basis for this assumption, and for confirmation that this is based on data from other C2 accommodation only; there is a far greater proportion of single residents in extra care housing than in other types of housing. Even if this assumption is valid, 54 is far lower than the proposed 70.

Although the proposed Care Home is sited on the footprint of currently developed land, the impact of allowing a build which so exceeds the number of residents allowed under SP23 is not confined to the built environment - it is the impact of traffic, CO2 emissions, waste management, noise etc. of so many residents, visitors, staff and associated healthcare workers.

It is acknowledged by the applicant that “up to” 70 Care Home beds is required to deliver the funding for the healthcare improvements, and this is given as justification for failing to comply with SP23. We believe that

this would set a very dangerous precedent; if the NPA agrees that it is acceptable to fail to comply with Planning Policy in order to make a project financially viable, then this should apply to all applicants, so as to avoid discrimination.

### **SP15: Tranquility and DP2: General Development Principles**

There will be a significant increase in traffic along the service road access to and from the A35; this is narrow and one way over part of the service road. Traffic exiting the site will cause a gridlock at busy times, due to the right-angled bend in the service road just before the junction with the A35, which is where the one way section meets the two way part of the service road. There is already some difficulty in joining the A35 due to the pressure of traffic; this will be significantly worse during the summer as the A35 is one of the main routes into Lyndhurst and the open Forest.

The Transport assessment for the Hospital extension doesn't appear to account for the increase in footfall due to the new services to be provided by the Wellbeing Centre - outpatients, support groups etc. some of which are not currently provided on the Ashurst Hospital site. The calculation appears to be based on traffic increasing by the same percentage as the increased floor area, being based on the Birthing Centre data. This data cannot be assumed to be representative of the proposed Wellbeing Centre activity.

The Travel Plan claims that the parking allocation meets the Local Plan requirements, based upon 14 staff for the Care Home at any one time. We have sought confirmation that this figure includes the domestic, maintenance, administrative and Reception staff for the Care Home, as it should; this information is still awaited. This number would deliver a carer/resident ratio that the CQC would deem unsafe and unacceptable.

There is likely to be overspill parking onto the service road; this will impact residents who currently park there to access the shops and other local services.

There will be an increase in light and noise as the Care Home will be lighted and in use over 24 hours; the current building is not.

### **SP17: Local distinctiveness**

There will be a suburbanising effect of building a 70-bed care home on this site, with the associated staff and visitor movements.

### **SP20: Specialists housing for older people (use Class C2)**

This policy states that "the occupancy of new specialist housing for older people is confined in perpetuity to a local person ... This is defined as

someone who has a minimum period of a total of 5 years permanent residence within parishes in the National Park.”

However, SP23 states that “occupancy be limited to those with a local connection” - as there is no definition of what constitutes a local connection, we are concerned that this Care Home will be used for residents with only the vaguest connection to the New Forest and will not comply with SP20.

We are disappointed that there has been no genuine consultation with the Parish Council, as the representative of the local residents. Although the DAS says that the applicant “recently attended a ...Parish Council Liaison meeting”, this was held in March 2021, and was described as a “virtual briefing session” in their invitation email.

### **Consultation on additional plan and information:**

Recommend refusal. Comment:

Still have significant concern about the provision of car parking and road safety.

The amended application repeatedly refers to the “extended birthing centre”. The Planning Consultants comment that “The proposed 57 spaces are slightly below the local parking standards. However, there are no local parking standards that specifically relate to a birthing centre and the Health Centre standard is therefore the most applicable... It is suggested that Health Centres would generate more patients and parking demand as the consultation rooms would turnover at a faster rate, compared to a birthing centre.”

However, the application states that the building will be used for Paediatric Audiology, CAMHS (children and adolescent mental health service), outpatient clinics, a Community Nurse hub and a Community cafe, in addition to the birthing centre provision. This will obviously generate far more footfall than a birthing centre alone.

The proposed 70 bed Care Home is deemed to need 14 staff. Care homes need kitchen, cleaning, maintenance and managerial staff in addition to carers. Alder King states “This is a standard level of staff for a care home of the size of the application proposal” - we would urge you to ask for the evidence upon which this figure is based, rather than an assertion by “the NHS” (who do not run Care Homes).

The Travel Plan (which refers to Ashford Hospital) mentions a footpath to the railway station - this section of road does not have a footpath or pavement, so people would have to walk on the road.

## 5. CONSULTTEES

Archaeologist: No objection subject to condition. Supports the securing of a survey of the former workhouse prior to its demolition.

Building Design and Conservation: Comment: Overall the principle of redevelopment to the site is accepted, and a reasoned justification has been set out in the Heritage Impact Statement for the loss of the former workhouse buildings. The chapel is to be retained, but its proposed use is not identified as part of the full application. The proposed extension to the Snowden Annexe is a simple modern approach to a challenging building. The use of locally sourced timber and sustainable building materials is welcomed, and the design offers some flexibility over the future use of internal spaces though its modular layout. Details of the proposed care home are limited, but the Arts and Crafts architectural style would be supported.

Ecologist: Initial concerns in relation to ecological information submitted, nutrient considerations and management of buffer zone. In relation to further information submitted considers that there appears commitment and potential to allow the Authority to conclude policy accordance can be demonstrated through conditions/ reserved matters.

Forestry England: No response received.

HCC Countryside Services: No comments specific to the application.

HCC Highways: No objection subject to condition to secure a Construction Method Statement (CMS) and securing of a full travel plan by S106 agreement.

Landscape Officer: Support subject to conditions.

Local Lead Flood Authority: No objection subject to condition.

Natural England: No objection subject to appropriate mitigation being secured.

NFDC Environmental Protection: No objection subject to conditions.

Planning policy: Comment: The principle of redeveloping the site has been established through the Local Plan-making process and this application reflects the broad principles of the site-allocation policy. There is some conflict with the requirements of criterion (b) of Policy SP23.

Southern Water: No objection subject to condition in relation to phasing to align with the delivery of network reinforcement to be provided by Southern Water.

Sustainable Access Officer: Comments made in relation to proposed access paths and sustainability features.

Tree Officer: No objection subject to conditions in relation to tree protection and replacement planting.

**6. REPRESENTATIONS**

None received.

**7. RELEVANT HISTORY**

Application for screening opinion under Regulation 6 (schedule 2) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 for 1no. two storey extension to Snowdon Centre; erection of up to 70 bed care home (Use class C2); car parking; landscaping; demolition of main building (workhouse), mortuary and education centre buildings (21/01009/SCR) screening opinion issued (EIA not required) on 15 December 2021.

Application for screening opinion under Regulation 6 (schedule 2) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 for 1no. two storey extension to Snowdon Centre; erection of 54 bed care home (Use class C2); car parking; landscaping; demolition of main building (workhouse), mortuary and education centre buildings (21/00830) screening opinion issued (EIA not required) on 11 October 2021.

Application for screening opinion under Regulation 6 (schedule 2) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 for 1no. two storey extension to Snowdon Centre; erection of care home (Use class C2); car parking; landscaping; demolition of main building (workhouse), mortuary and education centre buildings (21/00118) screening opinion issued (EIA required) on 05 May 2021

Replacement shelter for electrical LV panel; replacement oil tank and generator; associated enclosures (10/95516) approved on 20 October 2010

Replacement shelter for electrical LV panel; replacement oil tank and generator; associated enclosures (09/94114) approved on 24 July 2009

Extension and resurfacing of car park; associated landscaping (09/93952) approved on 22 July 2009

Extension of existing car park (00/71332) approved on 18 April 2000

Erect 40 bed mental health clinic, parking & access (NFDC/OUT/98/63540) withdrawn on 31 March 1998

Construct pitched roof and form offices in Roof Space (92/49670) approved on 2 June 1992

Erection of a carport (91/47142) approved on 19 April 1991

Construct pitched roof and form office accommodation in roof space (91/46829) approved on 5 March 1991

Erection of a Community Hospital unit (existing hospital to be demolished) (86/31926) approved on 13 October 1986

## **8. ASSESSMENT**

### **SUMMARY**

- 8.1 This is a hybrid application for the adopted Local Plan site allocation at Ashurst Hospital site located on the Lyndhurst Road in Ashurst.
- 8.2 The application was submitted in October last year and has been subject to negotiations with the applicant and statutory consultees. The principle of the proposed development has been established through the site specific allocation in the Authority's adopted Local Plan (Policy SP23).
- 8.3 This report sets out the relevant planning policies, the responses from consultees and an assessment of the all the relevant issues. There is support from the majority of statutory consultees. The Parish Council have objected raising concern in particular about car parking and highway safety. No representations have been received from local residents.
- 8.4 The report concludes that the detailed element of the application accords with Policy SP23, that the outline part of the application broadly accords with Policy SP23 and that the site could accommodate the indicative quantum of development subject to mitigation. The proposal responds to the constraints of this sensitive site. It would secure the redevelopment of a brown field site meeting a need for specialist accommodation for older people whilst consolidating and expanding the healthcare element on western part of site and securing retention of the former chapel building.
- 8.5 Given the hybrid nature of the application, careful consideration of conditions and phasing is required including the securing of sufficient car parking provision in both the construction and operational phases.
- 8.6 For these reasons, as elaborated in this report, the officer recommendation is that, subject to the prior completion of a legal agreement, the Executive Director of Strategy and Planning be authorised to grant planning permission subject to conditions, including delegated authority for the amendment/ adjustment of conditions where



necessary given the hybrid nature of the scheme to ensure compatibility with the Section 106 legal agreement.

### **Application Site**

- 8.7 The 2.18 hectare site is located to the south of the A35 and the defined village boundary of Ashurst. Two car parks lie to the north of the site with a public house to the north of one. The site is adjoined by open land to the east, south and west, with Ashurst railway station located further to the west.
- 8.8 The site contains the New Forest Birth Centre and Snowdon Annex, Ashurst Child and Family Centre (including New Forest CAMHS) within part of the former workhouse buildings, the Education Centre, Chapel and other unused hospital buildings with associated car parking. The Chapel and former workhouse buildings are locally listed buildings.
- 8.9 The site is accessed from the southern side of the A35 Lyndhurst Road via an unnamed service road that runs parallel to the A35.
- 8.10 Group and individual Tree Preservation Order designations are located within the site and the site is located adjacent to the New Forest SSSI, SAC, SPA and Ramsar ecological designations.

### **Planning Background**

- 8.11 Land at Ashurst Hospital is allocated in Policy SP23 of the adopted New Forest National Park Local Plan (2016-2036) for mixed-use development comprising retained (and potentially extended) healthcare provision on the western part of the site and around 30 residential units (Use Class C2 or extra care use) on the remaining previously developed part of the site.
- 8.12 The site allocation in the adopted Local Plan followed public consultation and independent examination of the proposed allocation by two Government-appointed Planning Inspectors in 2018-19. Having considered the evidence and representations made, paragraph 150 of the subsequent Inspectors' Report (July 2019) supported the allocation of land at Ashurst Hospital for healthcare and C2 use, concluding, "*The approach towards the form of residential development on the site is justified. Unlike with C3 dwelling houses, there are clear, effective and enforceable mechanisms and management regimes that can be put in place to avoid cat ownership in C2 or extra care housing.*"
- 8.13 Paragraph 153 of the Local Plan Inspectors' Report (July 2019) then states, "*The exact contribution that this additional site allocation would make to the housing requirement depends on the specific nature of the residential uses proposed as part of a development scheme...it is clearly capable of making some contribution and in the context of a Local Plan that will result in unmet housing needs, this is important. It will also re-use*

*an area of previously developed land, a resource which is in short supply in the National Park.”*

- 8.14 The principle of mixed-use development for healthcare and C2 use has therefore been legally established through the plan-making process.

### **Proposed Development**

- 8.15 The application comprises a hybrid planning application. It seeks full planning permission for a two-storey extension to the Snowden Centre (650 sq. m GIA), new car parking and associated works (including retention of the former chapel) on the western part of the site. The application also seeks outline planning permission (with all matters reserved except for access) for a residential care home (up to 70-bed), the provision of car parking to serve the care home and additional healthcare parking on the central and eastern parts of the site with a landscape buffer on the southern part of the site.
- 8.16 The former workhouse buildings, mortuary and education centre would be demolished and the extension to the Snowdon Centre would become the Ashurst Child and Family Wellbeing Centre (to include services currently provided in the existing Child and Family Centre in the former workhouse building as well as additional health service facilities and a café hub for community use).
- 8.17 It is proposed that the site would remain served via the existing vehicle access arrangement. The site access would connect to the new parking areas associated with the extended birth centre and new care home facility with the internal access roads provided at a width of circa 6 metres with associated segregated footways.
- 8.18 57 car parking spaces are proposed for the birth centre and extended Snowden Annex and 32 car parking spaces are proposed for the care home. In respect of cycle parking, five "Sheffield" stands are proposed to accommodate 10 cycles near the staff entrance to the care home and five further "Sheffield" stands are proposed to accommodate 10 cycles near the staff entrance to the birth centre.
- 8.19 It is proposed that the development would be phased with the extension to the Snowden Annex taking place first to then allow occupation by the health care services currently located in buildings proposed to be demolished prior to their demolition and the redevelopment for the care home use.

### **Consideration**

#### **Principle of Development**

- 8.20 Adopted local planning policies support the role of the four defined villages (including Ashurst) in being a focus for local community facilities

(Policy SP4). The Local Plan also supports the retention of existing community facilities and the development of essential local community facilities where they are accessible to the communities they serve (Policy SP39). The site allocation policy for the Ashurst Hospital (Policy SP23) specifically supports the retention and potential extension of the healthcare provision in the western part of the site and the healthcare elements of the application are supported in principle.

8.21 There is a need for specialist accommodation for older people (Use Class C2) and paragraph 7.12 of the adopted Local Plan states that it is important that opportunities should be taken to address the local need for specialist housing for older people.

8.22 As set out under the planning background above, the principle of mixed-use development for healthcare and C2 use has been established through the Local Plan process and the resultant site allocation. Detailed consideration of the specific site allocation Policy SP23 is set out below.

### **Heritage Considerations**

8.23 The Victorian chapel and the former workhouse building are considered to be non-designated heritage assets and both are on the Local List of Heritage Assets in the National Park. The former New Forest Union workhouse building, originally constructed in the 1830s is proposed to be entirely demolished as its design and layout is no longer fit for use within this clinical setting. It is proposed that the C19 chapel is retained.

8.24 Policy SP16 and section 16 of the NPPF require planning authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. Paragraph 197 of the NPPF (2023) states that planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. Paragraph 203 of the NPPF (2023) states, "The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."

8.25 The former chapel building is proposed to be retained in this application. A detailed heritage assessment has been provided to justify the loss of the former workhouse building. The Authority's Building Design and Conservation Officer has been consulted. In considering its demolition, a balance has to be taken between recognising and preserving what remains, against the wider public and community benefits of the redevelopment proposals. The building sits centrally within the hospital site with all modern buildings located around the periphery of the site. Having visited and inspected the buildings, it was assessed that the

former workhouse has been significantly altered and irretrievably damaged by the changes to its fabric and layout undertaken over recent years. It is therefore considered that the public benefit of the redevelopment proposals to make way for a more holistic use of the site would outweigh the loss. A condition would be imposed requiring a full record should be made of the former workhouse buildings.

## **Policy SP23**

### **Quantum of Development**

- 8.26 Policy SP23 in the Local Plan refers to the C2 residential element of the site allocation providing “*around 30 units.*” Having regard to the Government’s ‘Housing Delivery Test Measurement Rule Book’, the published ratio of people in C2 care home rooms compared to the wider housing stock indicates that 30 C2 independent extra care units equates to a 54-bed C2 care home. Focusing on application 22/00548, the Government’s recommended ratios for housing supply calculations indicate a 70-bed care home is equivalent to 39 extra care C2 units. Policy SP23 does not set out a maximum limit or absolute cap on the quantum of development and recognises that the exact number will depend on the final form of development. There is no policy objection to the figure of up to 70-beds in principle subject to this quantum being accommodated within the requirements of Policy SP23 and other relevant Local Plan policies.

### **Site-specific Requirements of Policy SP23**

**a) the site must be redeveloped in a comprehensive manner and detailed proposals for residential development will need to ensure the retained healthcare uses on the site can operate efficiently**

- 8.27 The application proposes a comprehensive development and would allow the retained healthcare uses to operate efficiently.

**b) built development will be confined to the previously developed land to ensure the existing green buffer remains to the south of the site and the New Forest’s protected habitats**

- 8.28 The proposed built development in the indicative care home proposal would encroach into the green area beyond the previously developed land which would result in the loss of 9 individual trees, 1 group and part of a group and a hedge all moderate or low category. However, the proposed indicative built footprint would be reduced as compared to the existing built footprint and there is no objection from the Authority’s Tree Officer, Landscape Officer or Ecologist subject to conditions to mitigate the loss and to secure a management plan for the remaining group TPO.

**c) the Victorian chapel will be retained as part of the redevelopment. A detailed heritage assessment and structural survey will be required to justify the loss of the former workhouse buildings**

8.29 The former chapel is proposed to be retained and a heritage assessment has been submitted to justify the loss of the former workhouse.

**d) redevelopment proposals must retain the protected trees on the site**

8.30 The illustrative redevelopment proposals would retain a large proportion of the protected trees on the site. There is no objection from the Authority's Tree Officer or Landscape Officer to the loss of some trees subject to conditions to secure replacement planting and management.

**e) proposals for extra care use (that is not C2 Use) must provide on-site extra care affordable housing for local people in housing need as close to the Authority's target of 50% affordable housing as is viable. Viability will be demonstrated through an open book approach**

8.31 This criterion is not applicable to the current application.

**f) proposals for C2 care home use must be accompanied by a legal agreement requiring the occupancy to be limited to those with a local connection**

8.32 The applicant has agreed to enter into a Section 106 legal agreement to secure occupancy with a local connection as defined in Annex 3 of the adopted Local Plan.

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

8.33 This criterion is not applicable to the current application.

**h) development proposals must incorporate measures to mitigate potential significant urban edge impacts on adjacent protected habitats. The existing southern boundary between the site and the adjacent protected habitats should be retained and strengthened with the planting of native species. Proposals should seek to enhance both its role in buffering the designated sites and supporting species of principal importance for biodiversity. A detailed application for the site will be subject to a full appropriate assessment**

8.34 The application proposes retention and strengthening of the buffer between the previously-developed parts of the site and the adjacent ecological designations. An appropriate assessment has been undertaken and mitigation would be secured to prevent urban edge

effects. Natural England have no objection and the C2 care use is in itself a key part of the mitigation to reduce impacts.

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

8.35 Southern Water has been consulted on the application and has undertaken a desktop study of the impact that the additional foul sewerage flows from the proposed development will have on the existing public sewer network. This initial study indicates that these additional flows may lead to an increased risk of foul flooding from the sewer network. Any network reinforcement that is deemed necessary to mitigate this will be provided by Southern Water. Appropriate conditions are suggested.

8.36 In summary, in relation to Policy SP23, the extended healthcare facilities (with retention of the former chapel) would accord with this policy and the proposed indicative development on the wider site broadly accords with the site-specific criteria, subject to the imposition of relevant planning conditions and the securing of mitigation and occupancy with a local connection through the Section 106 legal agreement.

**Detailed Application for extension to Snowden Centre and Retention of former Chapel**

**Design and Landscape Considerations**

8.37 Paragraph 26 of the NPPF (2023) states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

8.38 A two-storey extension to the Snowden Annex is proposed to provide improvements for the existing building and enhanced facilities for the CAMHS unit. The Snowden Annex is currently vacant. The Authority's Building Design Officer has commented that the existing buildings are dated and of their time, and the proposed extension seeks to provide a modern design approach within an architecturally challenging setting. As a result, the simple modern lines of the extension have been designed to complement the existing building and work within the existing floor levels and parameters of the buildings. A new entrance to the unit would unify and enhance the buildings, providing a legible point of entry and welcoming facilities. The ground floor would provide a community hub and café with clinical rooms, and the first floor would provide office spaces and hot desking facilities for visiting practitioners. This type of layout would provide flexibility for the future.

- 8.39 Externally the extension would be clad in Cedar, with simple grey powder coated fenestration and brickwork to match the existing. Advantage would be taken of the views to the south and west of the open landscape for the consulting rooms, where doors would lead out to a play space with sedum roofed verandas. The main flat roof of the building would be set lower than the current Snowden Annex and would include sustainability features in the form of photovoltaic panels and solar thermal panels. The simple box like extension would eventually weather over time to blend into the wider landscape.
- 8.40 The Authority's Landscape Officer has also commented on the proposal and considers that the Landscape and Visual Appraisal is thorough and robust. The Landscape Officer also notes that the extension to the Snowden Centre is an interesting form, taking up two stories with a flat roof as opposed to the existing sloping roof of the existing building. The external areas would be suitable to the space available and the timber pergola like structure with green roof to provide outdoor space for the CAMHS consultation rooms, would be a positive contribution to the site. The proximity to the open countryside to the immediate west of the site would have an impact but if the external lighting and boundary fence were of appropriate design and quality, then the proposed extension could become an acceptable part of the wider landscape. A detailed planting plan has been requested to form part of a condition and this is considered to be reasonable and appropriate.
- 8.41 Overall, whilst it is acknowledged that the extension would have an impact, it is considered that a balance has been struck between the functional requirements of the building and the sensitive context adjacent to the site. The proposal would also assist in facilitating the redevelopment of the wider brown field site.
- 8.42 In respect of the lighting proposed, a combination of street-lights for the car parks and lighting bollards for footpaths has been proposed. Given the sensitive context of the site, full lighting details would be sought by condition. The applicant's agent has confirmed that the existing square bulkhead lights on the underside of the sloping roof of the Snowden Centre would be removed which would help to reduce the existing light spill into the surrounding landscape.
- 8.43 In summary, subject to the imposition of relevant planning conditions, the proposed design approach is considered appropriate to the site and its context in accordance with Policies DP2, SP7, SP15 and SP17.
- 8.44 In respect of the former chapel, it is proposed to be retained as part of the proposals and is not subject to any proposed change of use or physical alteration. It would be retained in NHSPS ownership. The chapel is currently occupied by a charity called PEDALL inclusive New Forest Cycling. They are a charity that offer sessions not only to people with disabilities but to the wider public to help improve their confidence using bikes and also to improve their mental health and general wellbeing. The

applicant's agent has noted that NHSPS are committed to the continued support for the PEDALL initiative and have agreed that the charity can look to develop a permanent presence on the Ashurst campus – linking with the wider sites continued health and well-being focus. This would accord with Policy SP39 (Local community facilities).

### **Ecological Impacts**

- 8.45 A preliminary ecological appraisal has been undertaken for the Snowden Centre which notes the proximity to the New Forest European designated sites and the SSSI. A bat activity survey has also been undertaken. The Snowden Centre has a low potential for roosting bats but roosts are present on the wider site and vegetation is used as foraging/ commuting routes on the wider site. Mitigation measures in relation to bats would be required in the form of an appropriate lighting scheme, planting and landscaping and would be secured by condition.
- 8.46 Other ecological mitigation would be sought, such as in relation to the timing of works (outside of the bird breeding season), a Construction Environmental Management Plan and would also be secured by condition. The applicant has not submitted biodiversity net gain information and this would be sought by condition.

### **Amenity Considerations**

- 8.47 There are no neighbouring residential properties in close proximity to the site. Environmental Protection at New Forest District Council have been consulted about the proposed mix of development. There is no objection subject to conditions relating to contamination, internal noise levels (given the proximity to the A35 and railway line); deliveries; lighting and construction impacts.

### **Transportation Considerations**

- 8.48 In relation to traffic movements, a trips assessment has been carried out for the development as a whole. The results indicate there will be an increase in 27 AM peak trips and 32 PM peak trips, compared to the existing use. The Highway Authority consider that this is acceptable in this instance.
- 8.49 The Highway Authority has also reviewed the personal injury accident data and is satisfied that this development would not severely impact the safety of the Highway.
- 8.50 The access to the site is to remain unchanged, with the access via an unnamed service road. The width of the site access varies between 4.4 metres adjacent to the public car park and increases in width to 4.6 metres at the northern site boundary. Tracking has been provided that identifies vehicles would be able to enter and exit the site in a forward gear.



- 8.51 Overall, the Highway Authority has no objection subject to a condition securing a construction method statement and the applicant entering into a Section 106 legal agreement to secure the provision of a full travel plan and associated approval and monitoring fees and bond. The NPPF (2023) sets out in paragraph 111 that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Whilst the Parish Council have raised concerns in relation to potential increases in traffic, given the above, there is no basis for a refusal on highway grounds.
- 8.52 In respect of car parking, the Highway Authority has commented that this is a matter for the local planning authority to consider. 57 car parking spaces are proposed in total for the birth centre and Snowden Centre and chapel. In terms of overall number of spaces, this comprises a shortfall of 13 spaces when considered against the required standards contained in Annex 2 of the adopted Local Plan. However, Annex 2 also sets out that reduced parking provision may be acceptable in certain circumstances, such as where there is relatively good accessibility by public transport. The site is located in close proximity to the defined village of Ashurst with bus links, Ashurst railway station and an existing public car park which is currently free to use. It is considered that the proposed level of parking can be accepted in this instance.
- 8.53 In terms of the location of the proposed car parking, six of the spaces would be provided within the red-line area of the detailed application. However, it is noted from the illustrative plans provided for the outline part of the scheme that the remaining spaces would be provided within the outline element of the scheme; eight in close proximity to the extended healthcare facilities and a further 43 spaces in a larger car park located to the north east of the birth centre. The Parish Council has raised concerns about the level of parking and the application would need to ensure that sufficient parking is available to the healthcare element of the scheme during and after the build out of the outline application. In order to secure this, a condition would be imposed requiring details of interim car parking whilst the wider site is redeveloped and the provision of car parking exclusively for the healthcare element of the scheme would be secured by way of S106 legal agreement and condition.

### **Drainage**

- 8.54 In relation to surface water drainage, the applicant has submitted a detailed drainage drawing, drainage strategy and below ground drainage strategy. The proposal for draining the new development is to attenuate volumes for the 1 in 100-year storm event plus 40% peak rainfall allowance and connect into the existing system at a rate restricted to 1 l/s. Parking areas are to be permeable and drain to the attenuation storage. The Local Lead Flood Authority has been consulted. Following

receipt of clarifications in respect of the protection measures to prevent risk of blockages, the Local Lead Flood Authority has no objection to the proposal subject to condition.

- 8.55 In respect of foul drainage, as above, Southern Water has no objection subject to a condition to secure any required network reinforcement for the development as a whole.

### **Outline Application for Care Home, Car Parking and Landscaping**

- 8.56 In relation to the outline element of the application, the only matter of detail is that of access. All other matters are reserved. The application description is a care home of up to 70-beds, associated car parking and landscaping and additional healthcare car parking. Illustrative plans have been submitted in relation to this quantum and proposed phasing of the development.

### **Access and Transport Considerations**

- 8.57 The access to the site would remain unchanged and tracking has been provided that identifies vehicles would be able to enter and exit the site in a forward gear. There is no objection to the access from the Highway Authority.
- 8.58 As above, a trips assessment has been carried out for the development as a whole and the Highway Authority considers that the additional number of trips would be acceptable and that the development would not severely impact the safety of the Highway.
- 8.59 The indicative scheme includes the provision of 32 car parking spaces for the care home. This would comprise four spaces less than the required parking standard contained in Annex 2 of the adopted Local Plan. The applicant has indicated that the care home will cater for acute and close care residents who will not themselves require car parking space. Annex 2 also sets out that reduced parking provision may be acceptable in certain circumstances, such as where there is relatively good accessibility by public transport. The provision of 32 spaces is considered appropriate in this location.
- 8.60 The indicative scheme also includes 47 spaces for the healthcare element of the scheme and four spaces for the former chapel within the red line area for the outline application. Interim parking would need to be secured for the health care elements of the scheme during the redevelopment of the site. Details of phasing of parking and the quantum would be conditioned.

### **Design and Landscape Considerations**

- 8.61 Details of appearance, layout, scale and landscaping are reserved for future determination. The Authority's Building Design and Conservation

Officer has commented on the lack of detail on the design of the proposed care home, other than a series of sketches in the indicative plans showing an Arts and Craft influenced building with both two and three-storey elements, gables, dormers and Juliet balconies. It is noted that the existing workhouse building has both two and three storey elements, so this would not be out of place on this site. The Design and Access Statement indicates the proposed floor area to be 1400 square metres. The Arts and Crafts style is a recognised architectural style in the New Forest and this design approach would be supported at reserved matters stage.

- 8.62 In terms of impact of the proposed illustrative quantum, layout and landscaping, the Authority's Landscape Officer considers that, although the footprint of the proposed care home is wider spreading than the existing footprint, and the proposed three-storey height is shown in limited locations with two elsewhere (similar in height to the existing building), the site could absorb this, especially with the 'Landscape Buffer Zone' to the south and the perimeter of the site retaining the mature trees, which would help to soften the impact of the proposed development. The Landscape and Visual Impact Assessment in relation to the illustrative proposal concludes that, due to the enclosed nature of the site, there is little visibility, views mostly gained when in close proximity to the site's northern boundary and this is through a robust, mature landscape buffer or from within the site itself. Those identified receptors will experience the most effect during demolition and construction, however, on completion the derelict building would be replaced by the new care home and would improve the views of this element of the scheme. As the receptors move away from the site boundaries, the views will largely be the same as existing. From within the plantation and further afield there would be no experience of change.
- 8.63 In terms of the impact of the indicative layout on existing trees, both the Authority's Tree Officer and Landscape Officer accept the loss of nine individual trees, one group and part of a group and a hedge all of moderate or low category subject to the replacement planting and the remaining part of the group TPO is managed to a high standard with a management plan.
- 8.64 Concern has been expressed by the Authority's Landscape Officer about potential design changes at reserved matters stage which would could lead to increased light pollution. Reserved matters would be assessed against adopted policy including SP15 (Tranquillity). However, a condition in relation to lighting is considered necessary.
- 8.65 It is also considered that the 'Landscape Buffer Area' to the south of the development would require a full management plan to ensure that appropriate management is carried out for the long- term biodiversity interest and landscape character of that part of the site. This would be the subject of a condition.

- 8.66 The proposed illustrative material and supporting documentation indicate that the quantum of development could be accommodated on the site subject to the securing of mitigation in the form of planting and management. It is considered reasonable and necessary that parameters are controlled by condition (footprint/ floorspace; storey height) as well as the quantum of car parking.

### **Ecological Considerations**

- 8.67 Careful consideration will be required of ecological matters in the assessment of reserved matters proposals for the site given the sensitive context of the site adjacent to New Forest European ecological designations and the New Forest SSSI.
- 8.68 An Appropriate Assessment has been undertaken in accordance with the Conservation of Habitats and Species Regulations 2017 at this outline application stage in relation to the potential impacts of the indicative proposals on the European designated sites and the Authority's Ecologist and Natural England have been consulted and have not raised an objection.

### **Recreational Impacts**

- 8.69 Prior to mitigation, the Habitat Regulations Assessment of the Local Plan could not rule out the recreational impacts of any new residential and visitor accommodation throughout the National Park having a likely significant in combination effect on the New Forest SPA and SAC sites. Consequently, mitigation is required for all proposals of these types of development for their recreational impacts on these New Forest designated sites. In addition, development within 5.6km of the Solent coastal designations (which includes Ashurst) is required to address the increased recreational impacts and there is an established strategic mitigation in place (Bird Aware Solent). Paragraphs 14.10 – 14.11 of the HRA of the Local Plan confirm, "Developments within the C2 class (i.e. residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres) will be considered on a case by case basis... The Authority considers that some age-related accommodation is as likely to lead to recreational impacts on the designated sites as other forms of housing." As the applicant cannot at this stage specify the precise form of C2 development, the Authority has erred on the side of caution (in line with the precautionary principle) and included reference to mitigating recreational pressures on the New Forest and Solent in the Appropriate Assessment that it has undertaken. The Appropriate Assessment concludes that the proposed development (which the applicant has indicated could not be restricted to a "nursing" care home only) would, in combination with other developments, have an adverse effect due to the recreational impacts on the European sites, but that the adverse impacts would be avoided if the planning permission were to be conditional upon the approval of proposals for the mitigation of that impact in accordance with the Authority's adopted Mitigation Strategy

(2020) and the established Bird Aware Solent mitigation scheme or mitigation to at least an equivalent effect.

### **Urban Edge Effects**

- 8.70 In relation to potential urban edge effects, the Authority's Appropriate Assessment notes that the proposal is for development on a site allocated in the adopted Local Plan for health-care and C2 uses. The proposed scale is 16-beds greater than that included in the site allocation. The Habitats Regulation Assessment of Local Plan led to policy requirements which would be largely fulfilled in the current application. The proposal is generally confined to the previously-developed parts of the site and includes mitigation against urban edge effects. Subject to mitigation in the form of a legal agreement to preclude pet ownership; restriction of the use to C2 and healthcare development and strengthened planting of buffer between the development and the adjacent protected habitats, there would be no adverse impacts on the European sites.

### **Nutrient Impacts**

- 8.71 Natural England have advised that there is uncertainty as to whether future housing and visitor accommodation development will adversely impact the protected habitats of the Solent due to increased levels of nitrates entering the system. In accordance with Natural England's advice to local planning authorities along the Solent coast, the potential impacts from nitrates have been considered in assessing this application. The applicant has provided a nutrient budget which has been assessed. Natural England is satisfied with the methodology used to calculate the nutrient budget and subject to securing appropriate mitigation in order to achieve a nutrient neutral scheme, the Authority's obligations as a 'competent authority' under the Conservation of Habitats and Species Regulations 2017 are met.

### **Protected Species**

- 8.72 In respect of protected species, ecological appraisal and surveys have indicated that three buildings supported roosting bats and up to five species of bat were recorded using the habitats across the site. Grassland edges, hedgerows and scattered trees were used as foraging / commuting routes. Mitigation has been proposed to avoid significant effects (retaining key habitats and minimising lighting) and enhancements proposed. It was assessed that the bat roosts found were of low conservation status and their loss due to the planned demolition can be fully mitigated using standard and commonly applied approaches under a licence granted from Natural England, and the loss of roosts fully compensated. As the proposal would result in the destruction of known roosts, the local authority should consider the three tests of a European Protected Species (EPS) Licence prior to granting planning permission. Failing to do so would be in breach of the Conservation of Habitats and

Species Regulations 2017 which requires all public bodies to have regard to the requirements of the Habitats Directive in the exercise of their functions. The first test is effectively whether the proposal is in accordance with the Local Plan. It is considered that the proposal does accord with adopted policies and therefore the proposal does meet the first test. The second test is whether there is any alternative. In this instance, the alternative would be to not redevelop the site. However, the site has been allocated in the adopted Local Plan and the buildings are required to be replaced to support the viable use of the site. The development is also considered to be in accordance with this second test. The third test is whether the conservation status of the species would be affected. The Appraisal makes recommendations for mitigation, compensation, and enhancement in relation to bats and other species which are considered appropriate. Overall, it is likely that a Licence would be granted and therefore the proposal is considered to meet with the Habitats Directive and thus would accord with Policy SP6

Eighteen species were recorded during the breeding bird surveys. No SPA Qualifying species were recorded during the surveys and the site has been assessed as not having potential to be suitable for breeding by any SPA Qualifying species. The site was assessed as having 'local importance' for breeding birds (in accordance with Fuller et al., 1980). Mitigation was included to avoid significant effects (habitat retention and suitable timing of works) and enhancements proposed.

- 8.73 Great crested newts were assessed as being likely absent from the site and surrounding area. The site was found to support a low population of both adders and common lizards and a good population of slow worm. These were predominately distributed outside the construction area and mitigation measures have been proposed to avoid significant effects during construction.
- 8.74 The recommended mitigation would be secured by condition and a Construction Environmental Management Plan would also be conditioned as required by Natural England and the Authority's Ecologist.

### **Ecological Enhancements**

- 8.75 The applicant has not submitted biodiversity net gain information at this stage. Ecological enhancements would be sought in relation to the proposed detailed design in accordance with Policy SP6 and secured by condition.

### **Heritage Impacts**

- 8.76 A case has been made for the demolition of the former workhouse which has been accepted as detailed above and in accordance with Policy SP16.
- 8.77 In relation to archaeology, the Authority's Archaeologist has noted that there is a slim possibility of encountering unmarked graves and other

features or deposits related to the 19th-century workhouse in the area near the workhouse chapel and mortuary. An archaeological watching brief, with archaeologist-guided stripping of overburden to the appropriate horizon, is therefore recommended for the groundworks related to the car park in the direct vicinity of the workhouse chapel.

### **Amenity Considerations**

- 8.78 The outline application site does not adjoin any residential properties. Environmental Protection at New Forest District Council have been consulted about the proposed mix of development. There is no objection subject to conditions relating to contamination, internal noise levels (given the proximity to the A35 and railway line); deliveries; lighting and construction impacts.

### **Drainage**

- 8.79 Drainage details would be required for the detailed design of the proposed care home and car parking areas. A condition is proposed to secure this.
- 8.80 In respect of foul drainage, Southern Water has no objection subject to a condition to secure any required network reinforcement for the development as a whole.

### **Other**

- 8.81 The Authority's Sustainable Access Officer welcomes the renewal of this site especially with the inclusion of the wellness hub and the links to cycling charity PEDALL. The matters raised in relation to access paths would be considered at reserved matters stage.

### **Section 106 Legal Agreement**

- 8.82 The following developer obligations and contributions, index linked where appropriate, will need to be secured by a Section 106 legal agreement. These have been assessed as being necessary, directly related to the development and fairly and reasonably related in scale and kind to the development:

Measures to prevent pet ownership within the care home.

Local connection requirements relating to the care home occupation.

Pro rata contribution to recreational mitigation for the New Forest Special Protection Areas, Special Conservation Areas and Ramsar sites: £116,899.

Pro rata contribution to recreational mitigation for the Solent designated European sites: £31,010.

Provision of a full travel plan and associated approval and monitoring fees and bond.

The securing of interim and long-term parking provision for the healthcare element of the scheme.

Appropriate phasing of the scheme.

Measures to secure delivery of appropriate management of the buffer area over time.

## **Conclusion**

- 8.83 In conclusion, this is an important site allocation in the Authority's adopted Local Plan that would make a significant contribution to the provision of healthcare facilities for the local community and specialist accommodation for older people. The occupation of the future C2 development would be restricted through the legal agreement to residents with a local connection to the area. This means the development will directly benefit the local community of the National Park, in accordance with the Authority's socio-economic duty
- 8.84 The detailed scheme would provide enhanced and extended healthcare facilities and retention of the former chapel building. The outline element of the scheme includes indicative proposals for a 70-bed care home, landscaping and car parking areas.
- 8.85 Hampshire County Council has confirmed that the traffic generated could be accommodated without adverse impacts on highway safety. Sufficient car parking would be secured through conditions and the legal agreement.
- 8.86 It is therefore recommended that, subject to the prior completion of a legal agreement, the Executive Director of Strategy and Planning be authorised to grant planning permission subject to conditions, including delegated authority for the amendment/ adjustment of conditions where necessary given the hybrid nature of the scheme to ensure compatibility with the Section 106 legal agreement.

## **9. RECOMMENDATION**

Subject to the prior completion of a legal agreement, the Executive Director of Strategy and Planning be authorised to grant planning permission subject to conditions, including delegated authority for the amendment/ adjustment of conditions where necessary given the hybrid nature of the scheme to ensure compatibility with the Section 106 legal agreement.

1. The detailed components of the development hereby permitted (hereinafter termed Phase 1) 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. Application for approval of the reserved matters for the outline components of the scheme (hereinafter termed Phase 2) shall be made to the New Forest National Park Authority before the expiration of three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

3. The development of Phase 2 shall be begun before the expiration of two years from the date of approval of the last of the 'reserved matters' to be approved.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

4. Development of Phase 1 and the submission of reserved matters details for Phase 2 shall only be carried out in accordance with drawing nos:

100 Rev P3- Location Plan  
03 Rev P12- Proposed Floor Plans  
05 Rev P2- Proposed Roof Plan  
15 Rev P3- Proposed Elevations  
20 Rev P5- Proposed Section  
106 Rev P2- Design Parameters  
20051-WFB-XX-XX-DR-C-0500 Rev P01- Drainage Layout

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, DP18 and DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

5. Prior to commencement of each phase of development, a scheme of landscaping of the site shall be submitted to and approved in writing by the New Forest National Park Authority. This scheme shall include:

- (a) the existing trees and shrubs which have been agreed to be retained;
- (b) a specification for new planting (species, size, spacing and location);

- (c) areas for hard surfacing and the materials to be used;
- (d) other means of enclosure;
- (e) a method and programme for its implementation and the means to provide for its future maintenance.

No development within each phase shall take place unless these details have been approved and then only in accordance with those details.

Reason: To safeguard trees and natural features and to ensure that the development takes place in an appropriate way and to comply with Policies DP2 and SP7 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

6. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner.

Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size or species, unless the National Park Authority gives written consent to any variation.

Reason: To ensure the appearance and setting of the development is satisfactory and to comply with Policies DP2 and SP7 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

7. Before each phase of development is first commenced, a scheme to deal with any contamination of the site shall be submitted to and approved in writing by the New Forest National Park Authority. This scheme shall include:

(i) an investigation of the site carried out in accordance with BS10175: 2001.

(ii) a risk assessment using the Contaminated Land Exposure Assessment (CLEA) model whenever this is appropriate, and

(iii) a detailed scheme for the remedial works to be carried out.

If any other previously undiscovered contamination is found during the development of the site, this shall be notified to the New Forest National Park Authority immediately, along with a suitable risk assessment and where necessary, a remediation scheme. The remediation scheme shall be approved in writing by the New Forest

National Park Authority.

Before any of the units on the site are first occupied, the remedial measures shall have been completed and a statement to that effect shall be sent in writing to the New Forest National Park Authority which will include any future requirements for the monitoring of the site.

Development in each phase shall only take place in accordance with the scheme which has been approved.

Reason: To ensure that any contaminated land on the site is identified and properly treated in the interests of the well-being of nearby residents and the environment in general in accordance with Policies DP2 and SP15 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

8. No development shall take place, including any works of demolition, until a Construction Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the approved Plan shall be implemented and adhered to throughout the entire construction period. The Plan shall provide details as appropriate but not necessarily be restricted to the following matters:
  - a) An indicative programme for carrying out of the works;
  - b) Details of the arrangements for public engagement / consultation both prior to and continued liaison during the construction works;
  - c) Measures to minimise the noise (including vibration) generated by the construction process to include hours of work, proposed method of piling for foundations, the careful selection of plant and machinery and use of noise mitigation barrier(s);
  - d) Details of any floodlighting, including location, height, type and direction of light sources and intensity of illumination;
  - e) The parking of vehicles of site operatives and visitors;
  - f) Loading and unloading of plant and materials, including permitted times for deliveries;
  - g) Storage of plant and materials used in constructing the development;
  - h) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
  - i) Measures to control the emission of dust and dirt during construction;
  - j) A scheme for recycling / disposing of waste resulting from demolition and construction works i.e. no burning permitted;
  - k) Management of construction access and traffic routes;
  - l) Vehicle tracking demonstrating that the largest vehicles

associated with the construction process can access, egress and turn within the confines of the site;

- m) Wheel Washing facilities or methods to prevent mud on the Highway;
- n) Measures to prevent pollution of nearby watercourses;
- o) Visual screening for SPA birds;
- p) Details of the timing of the works to avoid or provide suitable mitigation during the bird breeding season.

Reason: In the interests of highway safety and to safeguard sites of ecological importance and protected species in accordance with Policies DP2, SP5 and SP6 of the New Forest National Park Local Plan 2016-2036 (August 2019).

9. Prior to the commencement of each phase of development (including site and scrub clearance), a Biodiversity Enhancement and Mitigation Plan (BEMP) shall be submitted to and approved in writing by the National Park Authority. The BEMP shall include measures for ecological mitigation and enhancement (including timescales for implementing these measures) and shall be based on the ecological reports submitted as part of this application. It shall also include the provision of built in features for bat roosting and bird nesting and measures that will be taken to ensure a minimum 10% increase in biodiversity will be achieved and will cover a minimum period of 30 years.

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

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

10. A) No demolition/development shall take place/commence in each phase until a programme of archaeological work and historic building recording and analysis including a Written Scheme of Investigation 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 in each phase 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: To ensure the heritage potential of the site is investigated and assessed and in accordance with Policy SP16 of the New Forest National Park Local Plan 2016- 2036 (August 2019)

11. Prior to the commencement of each development phase hereby approved, a scheme to demonstrate that the internal noise levels within the development will conform to the 'Indoor ambient noise levels for dwellings' guideline values specified within Table 4 under section 7.7.2 of BS 8233:2014 and HTM 08-01 and shall be complied by a competent acoustician on sound insulation and noise reduction for buildings and shall be submitted to and approved in writing by the Local Planning Authority. The works specified in the approved scheme shall then be carried out in accordance with the approved details prior to occupation of the premises and be retained thereafter.

Reason: In the interests of amenity.

12. No development shall take place above slab level in each phase of development 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 of each phase shall only be carried out in accordance with the details approved.

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

13. No development shall take place above slab level shall take place until a scheme for the provision of car and cycle parking (interim

and long-term) has been submitted to and approved in writing by the New Forest National Park Authority. The scheme shall provide the following parking numbers as a minimum:

Healthcare and chapel buildings: 57 car parking spaces and 10 cycle parking spaces.

Care home: 32 car parking spaces; 10 cycle parking spaces.

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

Reason: Due to the hybrid nature of the development and the need to secure parking provision for the healthcare element of the scheme throughout the construction and operational phases of development.

14. The trees/hedges on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the measures set out in the submitted arboricultural statement/the recommendations as set out in BS5837:2012.

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

15. All materials, machinery and any resultant waste materials or spoil shall be stored within the red line application site unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of protecting the New Forest Site of Special Scientific Interest in accordance with Policy SP6 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

16. No external lighting shall be installed in each phase of development on the site unless details of such proposals have been submitted to and approved in writing by the New Forest National Park Authority.

The details shall be based on the submitted Lighting Strategy (ref: 1898-DFL-ELG-XX-RP-EO-13002) and shall include removal of the existing square bulkhead lights on the underside of the sloping roof of the Snowden Centre.

Reason: To protect the amenities of the area and protected species in accordance with Policies DP2, SP6 and SP15 of the adopted

New Forest National Park Local Plan 2016 - 2036 (August 2019).

17. Unless otherwise agreed in writing, development of phase 1 shall only take place in accordance with the submitted drainage details hereby approved (20051-WFB-XX-XX-DR-C-0500 Rev P01, Below Ground Drainage Strategy, dated February 2023 and Drainage Strategy Statement, April 2021).

Before the development of phase 1 is first occupied, details of the means of the future maintenance of the approved surface water drainage arrangements shall be submitted to and approved in writing by the New Forest National Park Authority. The drainage arrangements shall thereafter be maintained in accordance with the approved details.

Reason: In order to ensure that the drainage arrangements are appropriate and in accordance with Policy DP2 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

18. Each phase of development hereby permitted shall not be occupied until the arrangements for parking and turning have been implemented.

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

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

19. Prior to first use of each phase of development, a Delivery Management Plan shall have been submitted to and approved in writing by the Local Planning Authority. The plan shall include: how delivery and servicing vehicles will be managed at the site; the hours of deliveries and servicing and how deliveries will be controlled to ensure the development does not adversely affect the highway or amenity of neighbouring properties.

Servicing and deliveries shall thereafter take place in accordance with the approved management plan at all times unless otherwise agreed in writing by the local planning authority.

Reason: in the interests of highway safety and amenity.

20. The combined noise rating level (LAr, Tr) of plant and equipment on the site shall not exceed the background sound level (LA90) of

44dB between the hours of 07:00 – 23:00hrs and 33dB between the hours of 23:00- 07:00hrs when measured or predicted at 1m from the façade of any noise sensitive receptor. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014 Methods for rating and assessing industrial and commercial sound (as amended).

Reason: In the interests of amenity.

21. Prior to commencement of phase 2 of the development, approval of the details of the siting of the buildings, the design, and external appearance of the development, and the landscaping of the site ("the reserved matters") shall be obtained from the New Forest National Park Authority. The development shall only be carried out in accordance with the details which have been approved. The plans and particulars shall include the following detailed proposals:

- (a) The layout, siting and scale of all buildings and structures, including the finished levels (above ordnance datum) of both the ground floor of proposed buildings and the surrounding ground levels
- (b) The design and external appearance of all buildings and structures, including details of the colour and texture of external wall and roof materials to be used, with samples and / or sample panels of the materials to be made available and / or constructed on site for inspection by the local planning authority where directed.
- (c) Hard and soft landscape details including:
  - Existing and proposed finished levels or contours
  - Means of enclosure
  - Hardsurfacing materials
  - Soft landscape details shall include the following as relevant:
    - Planting plans
    - Written specification (including cultivation and other operations associated with plant and grass establishment)
    - Schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate
    - Retained areas of grassland, hedgerow and trees
    - Implementation programme

Reason: To comply with Section 92 of the Town and Country Planning Act 1990.

22. Development of phase 2 shall not exceed the following parameters:

Building footprint: 1, 400 square metres.  
GIA: 3, 900 square metres.  
Storey height: three storeys.



Reason: In view of the sensitive context of the site within the National Park landscape and in accordance with Policies DP2, SP7, SP15 and SP17 of the New Forest National Park Local Plan 2016-2036 (August 2019).

23. The care home development hereby permitted shall not be commenced until the extended healthcare facilities hereby approved have been completed and made ready for occupation.

Reason: In order to ensure the continued provision of community healthcare facilities and in accordance with Policy SP39 of the New Forest National Park Local Plan 2016-2036 (August 2019).

24. The phase 2 application shall be accompanied by:

A detailed surface and foul drainage scheme, including maintenance arrangements.

Updated ecological and arboricultural assessments, if necessary.

A Landscape and Ecological Management Plan to demonstrate strengthening of the landscape buffer zone and its management and maintenance.

Details of the provision being made for the storage of waste.

Reason: To ensure satisfactory comprehensive development and in view of the sensitive ecological context of the site.

25. Prior to the commencement of phase 2 of the development ecological mitigation for the Solent and New Forest Special Protection Areas, Special Areas of Conservation and Ramsar sites shall be submitted to and approved in writing by the New Forest National Park Authority. The ecological mitigation may take the form of a planning obligation which secures financial contributions in accordance with the Authority's Habitat Mitigation Scheme and the Solent (SRMP) Explanatory Note.

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

26. Phase 2 of the development hereby permitted shall not be occupied until:

a) A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which

demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority;

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

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

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

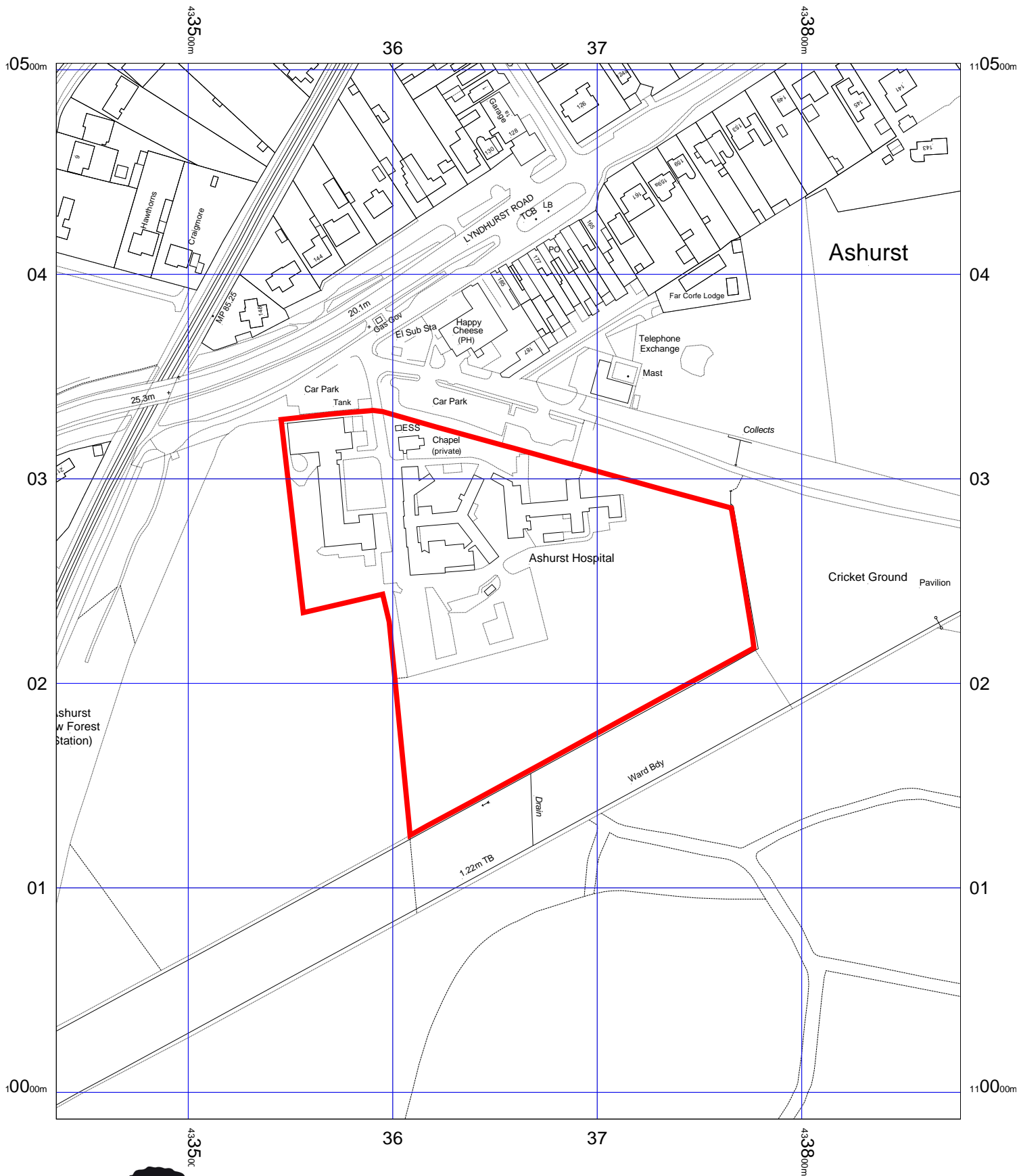
Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. To ensure that the proposal may proceed as sustainable development, there is a duty upon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

27. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 2020 and the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting those Orders with or without modification), the buildings the subject of phase 1 of this permission shall be used for the purposes of C2 healthcare and the building the subject of phase 2 of this permission shall be used for a C2 care home and for no other purposes whatsoever, without express planning permission first being obtained.

Reason: This application has been made, and the proposal supported, on the basis of the uses of the buildings being appropriate for their settings in this sensitive location within the New Forest National Park.

**Informative(s):**

1. Occupation of the development is to be phased and implemented to align with the delivery by Southern Water of any sewerage network reinforcement required to ensure that adequate wastewater network capacity is available to adequately drain the development.



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

Tel: 01590 646600 Fax: 01590 646666

Date: 18/08/2023

**Ref: 22/00548**

**Scale: 1:2500**

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**Application No:** 22/01001FULL Full Application

**Site:** Land to the North of Beachern Wood, Aldridge Hill,  
Brockenhurst SO42 7QD

**Proposal:** Temporary stationing of a mobile home for agricultural worker;  
creation of hardstanding for two vehicles

**Applicant:** Grainmarket Properties Ltd

**Case Officer:** Carly Cochrane

**Parish:** Brockenhurst Parish Council

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**1. REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish view

**2. POLICIES**

**Principal Development Plan Policies**

DP2 General development principles  
 DP18 Design principles  
 DP31 Agricultural and forestry workers' dwellings  
 SP5 Nature conservation sites of international importance  
 SP7 Landscape character  
 SP15 Tranquillity  
 SP17 Local distinctiveness  
 SP19 New residential development in the National Park  
 SP21 The size of new dwellings

**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: Response following Natural England's response:

Recommend refusal. Our original concerns remain about the undesirable and detrimental impacts of this application adjacent to the SSSI.

Initial Response:

Recommend refusal. The site is adjacent to SSSI and any development here would be detrimental to the ecology of the forest.

## 5. **CONSULTEES**

Natural England: No objection, subject to appropriate mitigation being secured.

Reading Agricultural Consultants: The application meets the NPPF, PPG and Local Plan tests for an agricultural worker's temporary dwelling.

## 6. **REPRESENTATIONS**

Two letters of representation have been received; one providing support from the owner of the closest neighbouring property (Beachern Wood), and one raising an objection. The concerns raised are summarised as follows:

- Proposal would have a detrimental effect on the natural character and distinctiveness of the location. Any new form of residential use should not be considered to be appropriate development.
- Position of the building is far too prominent- it will be clearly visible from the road and will detract from the scenic beauty and tranquillity of the location.

## 7. **RELEVANT HISTORY**

Temporary stationing of a mobile home for agricultural worker; creation of hardstanding for two vehicles (22/00528) withdrawn on 14 October 2022

## 8. **ASSESSMENT**

### **Application Site**

- 8.1 The application site comprises an 8.15 hectare parcel of agricultural land split into four paddocks, located to the eastern side of Aldridge Hill, and to the north of the residential properties of Beachern Wood, New Cottage and Little Orchard. There is an existing site access at the south western corner of the site, which is an informal track and forms the southern and part of the eastern site boundary, and which continues eastwards to Ober Farm at Rhinefield Road. To the north east and adjacent to the northernmost paddock is Black Knowl Caravan and Motorhome Club campsite, and Aldridge Hill campsite is to the north west, beyond woodland. Immediately adjacent to the western site boundary is the New Forest SSSI, SAC, SPA and Ramsar sites. The site is used for the breeding and keeping of alpaca, and there are two field shelters and two muck clamps adjacent to the eastern site boundary.

### **Proposed Development**

- 8.2 This application seeks permission for the stationing of a mobile home for an agricultural worker within the south western corner of the site close to

the site access, with parking for two vehicles, for a temporary period of three years. The mobile home is required in order to allow a shepherd to live on site to provide constant supervision of the herd for the wellbeing of the animals.

### **Consideration**

8.3 By way of background, a similar application was withdrawn in 2022 following the receipt of Reading Agricultural Consultants comments, who were unable to conclude that the application met the relevant NPPF, PPG and Local Plan tests for a temporary agricultural worker's dwelling due to the lack of and incorrect information submitted.

8.4 In respect of the relevant policy background, paragraphs 79 and 80 of the National Planning Policy Framework (NPPF) set out:  
“To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.

Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

(a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside...”

8.5 The Planning Practice Guidance (PPG) states:

“Considerations that it may be relevant to take into account when applying paragraph 79a of the NPPF could include:

- evidence of the necessity for a rural worker to live at, or in close proximity to, their place of work to ensure the effective operation of an agricultural, forestry or similar land-based rural enterprise (for instance, where farm animals or agricultural processes require on-site attention 24-hours a day and where otherwise there would be a risk to human or animal health or from crime, or to deal quickly with emergencies that could cause serious loss of crops or products);
- the degree to which there is confidence that the enterprise will remain viable for the foreseeable future;
- whether the provision of an additional dwelling on site is essential for the continued viability of a farming business through the farm succession process;
- whether the need could be met through improvements to existing accommodation on the site, providing such improvements are appropriate taking into account their scale, appearance and the local context; and
- in the case of new enterprises, whether it is appropriate to consider granting permission for a temporary dwelling for a trial period.”

- 8.6 Policy DP31 of the adopted Local Plan sets out that permission will be granted for an agricultural worker's dwelling provided:
- a) The nature of the work concerned makes it essential for one or more people engaged in the enterprise to live at, or very close to, their place of work;
  - b) The functional need could not be fulfilled by another existing dwelling on the unit, or any other existing accommodation in the area which is suitable and available for occupation by the workers concerned;
  - c) No other dwellings either on or closely connected to the holding/enterprise have been sold separately or in some way alienated from the holding/enterprise;
  - d) The size of the proposed dwelling would not result in the maximum total internal habitable floor area exceeding 100 square metres; and
  - e) Where practicable and appropriate, first consideration has been given to the conversion of an existing building under Policy DP49.
- 8.7 Where evidence of the financial soundness and future sustainability of the holding/enterprise appears inconclusive, consideration may be given to permitting a caravan or other temporary accommodation for a limited period in order to provide time for the viability of the enterprise to be proven.
- 8.8 As an aside, and in relation to the provisions of paragraphs 79 and 80 of the NPPF, it is not considered that an application made solely on this basis would be successful as the site would not be considered 'isolated' for the purposes of these paragraphs. However, Policy DP31 is considered to align with national policy and essentially provides for such dwellings in all locations within the National Park, subject to compliance with all relevant policy criteria.
- 8.9 In relation to criterion a) of Policy DP31, the nature of the work relates to the breeding and keeping of alpacas, with the long-term objective of establishing a stable, commercial herd producing fleece and fibre for sale, and some stock would be sold. As owners of livestock, the applicants have a legal responsibility to ensure that their stock is kept in a manner which accords them freedom from thirst, hunger and malnutrition; appropriate comfort and shelter; the prevention, or rapid diagnosis and treatment of injury, disease or infestation; freedom from fear; and freedom to display most normal patterns of behaviour. In terms of labour requirements, it is considered that there is an essential need for a person/s to be readily available at most times.
- 8.10 In relation to criterion b), there are no other dwellings on the land. The property of 'Beachern Cottage' is currently on the market for £895,000. It is separated from the application site by three other properties and there is no natural surveillance. It does not have any land associated with it. It is considered that this property is unlikely to be financially viable or suitable to serve the need.
- 8.11 In relation to criterion c), there are no other dwellings which have been sold or severed from the holding, and in relation to criterion e), there are



no other buildings the land which are redundant or suitable for conversion to habitable purposes. Criterion d) requires the dwelling to be limited to a maximum of 100sqm in floorspace, which also aligns with Policy SP21 of the Local Plan. The proposed mobile home would have a floorspace of 100sqm, and overall, the proposal would be in accordance with criteria a) to e) of DP31.

- 8.12 As aforementioned, the previous application was withdrawn based on comments from Reading Agricultural Consultants. Significantly more financial information has been provided with this application such that Reading Agricultural Consultants have been able to objectively conclude that the business could be profitable and sustainable within three years. The proposal therefore meets all criteria of Policy DP31.
- 8.13 The design of the mobile home would be of a 'log cabin' style and therefore would be constructed using timber boarding on a brick plinth, with a slate roof. There would not be an excessive amount of glazing, and overall, the design is considered acceptable. Concern has been raised that the dwelling would be prominent and visible from outside the site. The western site boundary is formed of hedgerows and vegetation which provides adequate screening, however, it is reasonable to suggest that the dwelling would be visible from outside the site. It is noted that the ground levels rise west to east, and therefore should the proposed dwelling be located further east, it is likely it would be unduly prominent within the landscape. The proposed siting relates well to the access and is set against a backdrop of woodland when viewed from the north. Overall, it is not considered that the proposal would result in any significantly adverse impact upon the character and appearance of the area. Information regarding lighting is not detailed within the application and a condition is therefore necessary seeking details of any lighting to ensure that the dark skies of the immediate area are retained in compliance with Policy SP15 (tranquillity).
- 8.14 Whilst there are residential properties to the south of the site, there are significant separation distances between, as well as screening in the form of trees and vegetation. Overall, it is not considered that the proposal would result in any significantly adverse impact upon neighbouring amenity.
- 8.15 The site is located adjacent to the New Forest SPA and there is therefore the likelihood of increased recreational pressure on this area from the additional dwelling. In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting planning permission would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of that site's conservation objectives. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the recreational impacts on the European sites, but that the adverse impacts would be avoided if the planning permission were to be conditional upon the approval of proposals for the mitigation of that impact in accordance with the Authority's adopted Mitigation Strategy (2020). In relation to urban edge effects, due to the expected small scale

and wide distribution of individual windfall developments, the Local Plan HRA judged that these were not likely to give rise to significant urban edge effects on New Forest SAC or SPA, either individually or in combination with other windfall developments within 400m of the New Forest SAC and SPA.

- 8.16 Natural England have advised that there is uncertainty as to whether future housing and visitor accommodation development will adversely impact the protected habitats of the Solent due to increased levels of nitrates entering the system. In accordance with Natural England's advice to local planning authorities along the Solent coast, the potential impacts from nitrates have been considered in assessing this application. The applicant has provided a nitrate mitigation checklist which sets out the applicant's willingness to accept a Grampian condition in order to secure an appropriate avoidance and mitigation package in respect of nitrates. Subject to securing appropriate mitigation, the Authority's obligations as a 'competent authority' under the Conservation of Habitats and Species Regulations 2017 are met, and Natural England are satisfied with this approach.

### **Conclusion**

- 8.17 It is therefore recommended that permission be granted subject to conditions, as the proposal is in accordance with Policies DP2, DP18, DP31, SP5, SP7, SP15, SP17 and SP21 of the adopted Local Plan 2016-2036 (2019).

## **9. RECOMMENDATION**

Grant (TP)

### **Condition(s)**

1. The building shall be removed and the use shall cease on or before 26 September 2026 and the land restored to a condition which has first been agreed in writing by the New Forest National Park Authority.

Reason: The need for a permanent dwelling at the site has not and cannot at this stage be justified in accordance with Policy DP31 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

2. Development shall only be carried out in accordance with drawing nos:

190301-01, 190301-160, 190301-170, 190301-161, LDS/15240  
TP1

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. Unless otherwise first agreed in writing by the New Forest National Park Authority the external facing and roofing materials shall be as stated on the application form hereby 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. 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).

5. The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.

Reason: The dwelling is only justified on the basis that it is necessary to provide accommodation for an agricultural worker in accordance with Policy DP31 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

6. All materials, machinery and any resultant waste materials or spoil shall be stored within the red line application site unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of protecting the New Forest Site of Special Scientific Interest in accordance with Policy SP6 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

7. Prior to the commencement of development the applicant shall provide:

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

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

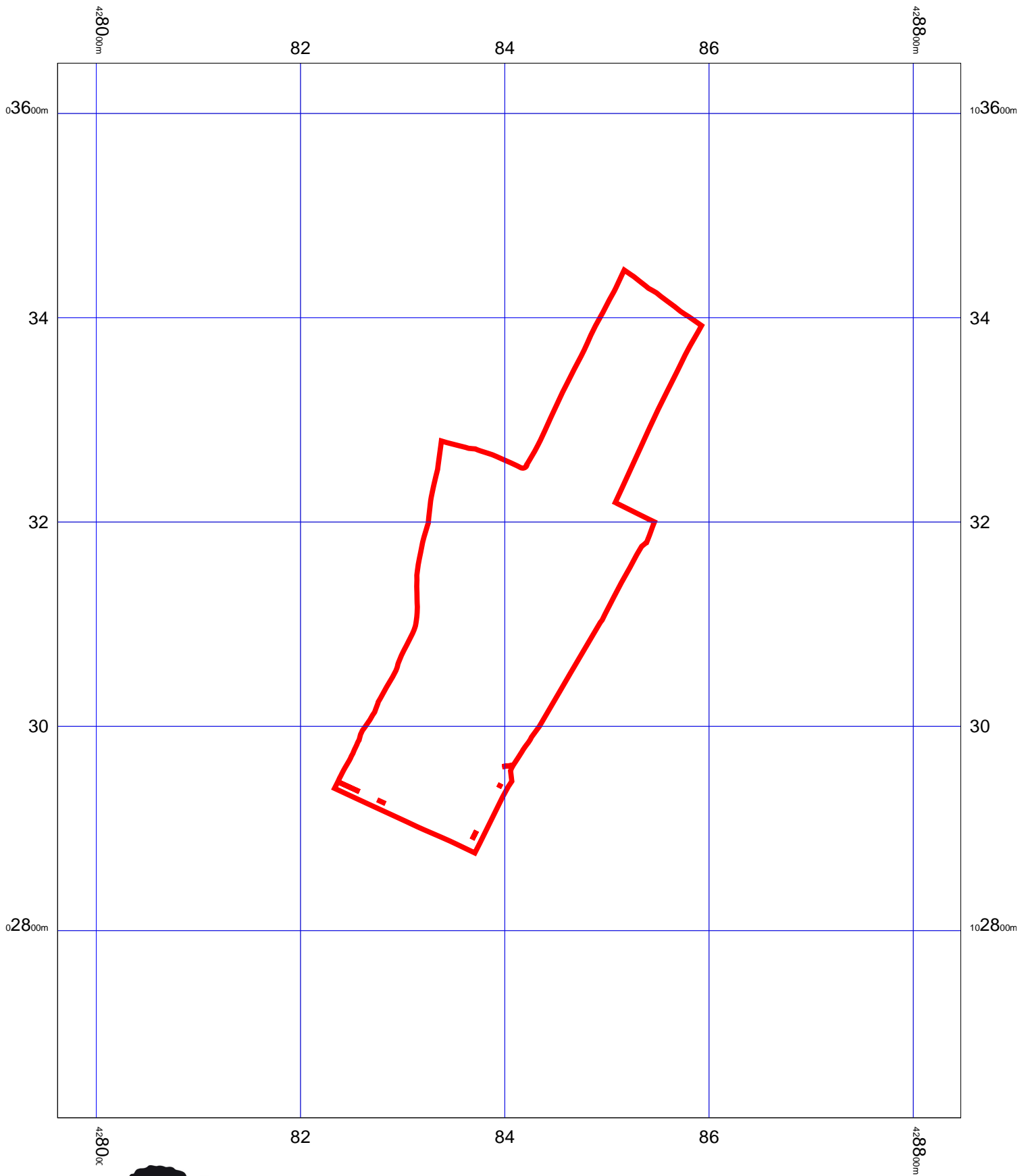
c) All measures forming part of that mitigation package have been provided to the Local Planning Authority.

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

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

8. Prior to the commencement of development ecological mitigation for the Solent and New Forest Special Protection Areas, Special Areas of Conservation and Ramsar sites shall be submitted to and approved in writing by the New Forest National Park Authority. The ecological mitigation may take the form of a planning obligation which secures financial contributions in accordance with the Authority's Habitat Mitigation Scheme and the Solent (SRMP) Explanatory Note.

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



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

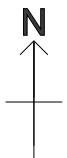
Tel: 01590 646600 Fax: 01590 646666

Date: 12/09/2023

**Ref: 22/01001**

**Scale: 1:5000**

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**Application No:** 23/00288FULL Full Application

**Site:** Passford Farm Cottage, Southampton Road, Boldre, Lymington  
SO41 8ND

**Proposal:** Boundary fence

**Applicant:** Guy Parsons

**Case Officer:** Carly Cochrane

**Parish:** Boldre Parish Council  
Lymington and Pennington Town Council

**1. REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish view.

**2. POLICIES**

**Development Plan Designations**

Conservation Area  
Listed Building

**Principal Development Plan Policies**

DP2 General development principles  
DP18 Design principles  
SP16 The historic and built environment  
SP17 Local distinctiveness

**NPPF**

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

**Supplementary Planning Documents**

Design Guide SPD

**3. MEMBER COMMENTS**

None received

**4. PARISH COUNCIL COMMENTS**

Boldre Parish Council: Recommend refusal.

## **5. CONSULTees**

Building Design & Conservation Officer: Comment provided.

Means of enclosure causes less than substantial harm to the setting of the listed building, however, given the style of fencing allowed elsewhere on site at appeal but still within the setting of the listed building, on balance, there would be nothing significant to be gained from refusing permission.

## **6. REPRESENTATIONS**

One letter of representation has been received, raising objections to the proposal. The comments made are summarised as follows:

- The fence subject of this application is subject to an Enforcement Notice dated 17 January 2020, which was upheld at appeal in 2022. The notice requires the removal of the fence by 28 September 2022.
- During the Inquiry, the Authority's Building Design & Conservation Officer gave evidence in respect of the fences at the site, being those which surrounded the building known as The Barn, as well as Passford Farm Cottage, and stated that they 'have a highly modern and suburban character that is alien to, and detracts from the traditionally open, rural character of the conservation area and the setting of the listed Farmhouse'.
- The applicant stated during the Inquiry that the fence was inappropriate and that he would work with the NFNPA to conceive something more appropriate. Permission should be refused and action taken against the flouting of the requirements of the Enforcement Notice.

## **7. RELEVANT HISTORY**

Application for a Certificate of Lawful Development for continued use of The Lodge as a single dwellinghouse (19/00501) refused on 15 August 2019. Subsequent appeal allowed on 28 March 2022

Retention of replacement decking; pool enclosure (20/00615) granted on 17 November 2020

Enforcement notice (EN/18/0118) served on 17 January 2020. Partially upheld at subsequent appeal on 28 March 2022

Outbuilding; demolition of existing outbuilding (20/00599) refused on 21 April 2021, appeal dismissed 05 January 2022

## **8. ASSESSMENT**

### **Application Site**

- 8.1 The application site of Passford Farm Cottage comprises a 2.5 storey, timber framed Grade II Listed Building, within the conservation area. The garden serving the dwelling is located to the rear (north west) and side (south west), and has been enclosed by a 'hit and miss' style timber fence, planters and a temporary timber fence with black mesh.

### **Proposed Development**

- 8.2 This application seeks permission to retain the boundary treatment as it exists, however, the section to the front of the site with the mesh would be replaced with a timber post and rail fence measuring approximately 1200mm in height.

### **Consideration**

- 8.3 It is important to set out the history of the wider site in considering this application in order to appreciate the complexities of this case.
- 8.4 Passford Farm Cottage is a Grade II listed building that dates to the 17th Century and is a key feature of historic importance in the Buckland Conservation Area. In the historic curtilage of the cottage there are several modern timber clad outbuildings, a static mobile home and some storage containers that are not considered to be sympathetic to the character and historic significance of the cottage and were originally part of a single ownership.
- 8.5 In June 2018, various developments were brought to the attention of the Authority and it was alleged that, among other things, there was an unauthorised material change of use of two outbuildings, known as 'The Barn' and 'The Lodge', to independent units of residential accommodation, and fences and other means of enclosure had been erected in the setting of a listed building without planning permission. These breaches were the subject of an enforcement notice issued in January 2020. This enforcement notice was appealed, along with the refusal of a Lawful Development Certificate (reference 19/00501) and following the Public Inquiry, the Inspector concluded that, due to the passage of time, both buildings were lawful independent dwellings and confirmed to be separate planning units. The inspector also determined in that decision that The Barn was not within the otherwise extensive curtilage of the listed cottage, and so the unsympathetic close boarded fencing erected between Passford Farm Cottage and The Barn and would be permitted development. Whilst the buildings across the site were in different ownerships at the time of the Inquiry, with Passford Farm Cottage within the ownership of the current applicant and The Barn and The Lodge remaining within the ownership of the previous owner (the appellant), it is clear that the site has been severed into three separate planning units, being Passford Farm Cottage, The Lodge and The Barn, and each have their own curtilages.



8.6 The Barn is enclosed by a high closed boarded fence which provides privacy and security to its small amenity area, which faces Passford Farm Cottage. The Lodge has, since the appeal decision, been the subject of a number of planning applications, and the approved plans included a 1 metre high post and rail fence along its boundary (22/00566). The northern boundary of The Lodge is parallel to a gravelled driveway, which runs through the entirety of the site, from the entrance at Southampton Road to the lawful dwelling plot at the rear of the site known as The Chalet (not subject of the Inquiry), which also used to form part of the wider Passford Farm site. It is noted that the dwelling of The Coach House, located immediately adjacent to the north eastern corner of Passford Farm Cottage, was also previously part of the wider site. There is a high close boarded fence which separates the sites, and tall trees along this boundary. As such, the residential properties of The Lodge, The Barn, The Coach House and The Chalet all have a means of enclosure, whether in the form of a high close boarded fence or timber post and rail fence, and all are either within the curtilage of or setting of the listed building.

8.7 It is known that both The Barn and The Lodge are used as holiday accommodation, although The Lodge is currently undergoing works pursuant to permission reference 22/00566. It is also known that Passford Farm Cottage is used for holiday accommodation. However, this does not alter the need for and nor is it considered unreasonable for there to be some form of enclosure to Passford Farm Cottage in order to provide privacy and security considering that the site is now comprised of different planning units, with different ownerships.

8.8 In relation to this application, allegation 3.3 and requirement 5.4 of the Enforcement Notice issued by the Authority in January 2020 and subject of the appeal were upheld. These are as follows:

*“3.3 Without planning permission the erection of fencing and other means of enclosure (planters) shown in the approximate positions marked blue on the plan attached to this Notice.*

*5.4 Dismantle and permanently remove the fencing and any other means of enclosure (planters) shown in the approximate positions marked blue on the plan attached to this Notice to ground level.”*

The justification within the Enforcement Notice in relation to the boundary treatment is as follows:

*“Passford Farmhouse is a Grade II Listed Building dating from the 17th Century. Consequently, the erection of the timber outbuilding, fencing and other means of enclosure within its curtilage requires planning permission. The outbuilding, fencing and enclosures have a harmful impact upon the setting of the Listed Building owing to its close proximity. The fencing and enclosure is visible from public and private views, and, along with the outbuilding, its highly suburban appearance appears at odds with its rural location. It also compounds and facilitates the unauthorised independent use of the buildings. The development is therefore contrary to policies DP2, DP18, SP16 and SP17 of the New*

- 8.9 As Passford Farm Cottage was sold between the time when the Enforcement Notice was issued and the Inquiry took place, the appeal in respect of the means of enclosure around Passford Farm Cottage was not pursued, either by the appellant or the new owner, being the applicant now. As it stands then, the means of enclosure surrounding Passford Farm Cottage is unauthorised and the requirements of the Notice remain applicable.
- 8.10 The Inspector considered that the fencing surrounding The Barn caused less than substantial harm to the setting of the listed farmhouse, however, as aforementioned, as it was considered to not be within the curtilage of the listed building, permitted development rights are intact which would allow for a means of enclosure to be erected to a height of 2 metres, and this was considered the fallback. Even so, the Inspector granted planning permission for this boundary:
- “Given the current use of the Barn and the need for privacy for the occupiers of both the Barn and the farmhouse, I consider it is highly likely some form of barrier would be erected. Therefore although the current means of enclosure does cause less than substantial harm to the setting of the listed farmhouse the fallback would be little different. Therefore there would seem to be nothing to be gained in planning or heritage terms from refusing permission for the means of enclosure as it stands today.”*
- 8.11 In the case of the boundary treatment at Passford Farm Cottage, due to it being within the curtilage of a listed building (which is not disputed), there is no permitted development fallback position. The treatment which, to recap, comprises a mixture of horizontal timber hit-and-miss fencing approximately 1.8m high to the rear, which changes to a combination of hit-and-miss fencing and substantial planters containing hedging, and then to a lower 'temporary' fencing comprising timber uprights with black mesh panels between at the eastern end of the length with a small section of white painted post and rail fence terminates the boundary at a right angle to the main direction of the fence, is considered to result in less than substantial harm to the setting of the listed building. However, as aforementioned, the appeal decision confirms the severance of the site into three separate planning units, and therefore the principle of each unit having a demarcated boundary has been established. The justification within the enforcement notice in respect of the means of enclosure compounding and facilitating the unauthorised independent use of the buildings is no longer relevant and an objection to the principle of a means of enclosure cannot be sustained.
- 8.12 Therefore, the main considerations relate to the appropriateness of the materials, height, and design of the boundary treatment. Given the evolution of the wider site, it is considered unreasonable now to require the boundary treatment to be completely removed and there be no form of enclosure, as the desire and reasonable need for privacy and security afforded by a form of boundary treatment is justified given the different

ownerships across the site. Whilst, as aforementioned, the current boundary treatment is considered to cause less than substantial harm to the setting of the listed farmhouse. As the Inspector has allowed a standard close boarded fence in a more prominent position around The Barn, it would be unreasonable to suggest that the fence the subject of this application, which is less prominent, arguably higher quality and more visually permeable has any greater negative impact than the fence that has been granted permission. Furthermore, some concession has also been made on the part of the applicant to improve the most visible section of fencing to the front by replacing the black mesh panel with a post and rail fence. Therefore, overall, and as the Inspector concluded in respect of The Barn, it is considered that there would be nothing significant to be gained in planning or heritage terms from refusing permission for the proposed boundary treatment.

### **Conclusion**

8.13 It is therefore recommended that permission be granted.

## **9. RECOMMENDATION**

Grant Subject to Conditions

### **Condition(s)**

1. The development hereby approved, which includes the alterations to the boundary treatment along the front, shall be carried out in full within six (6) months of the date of this permission.

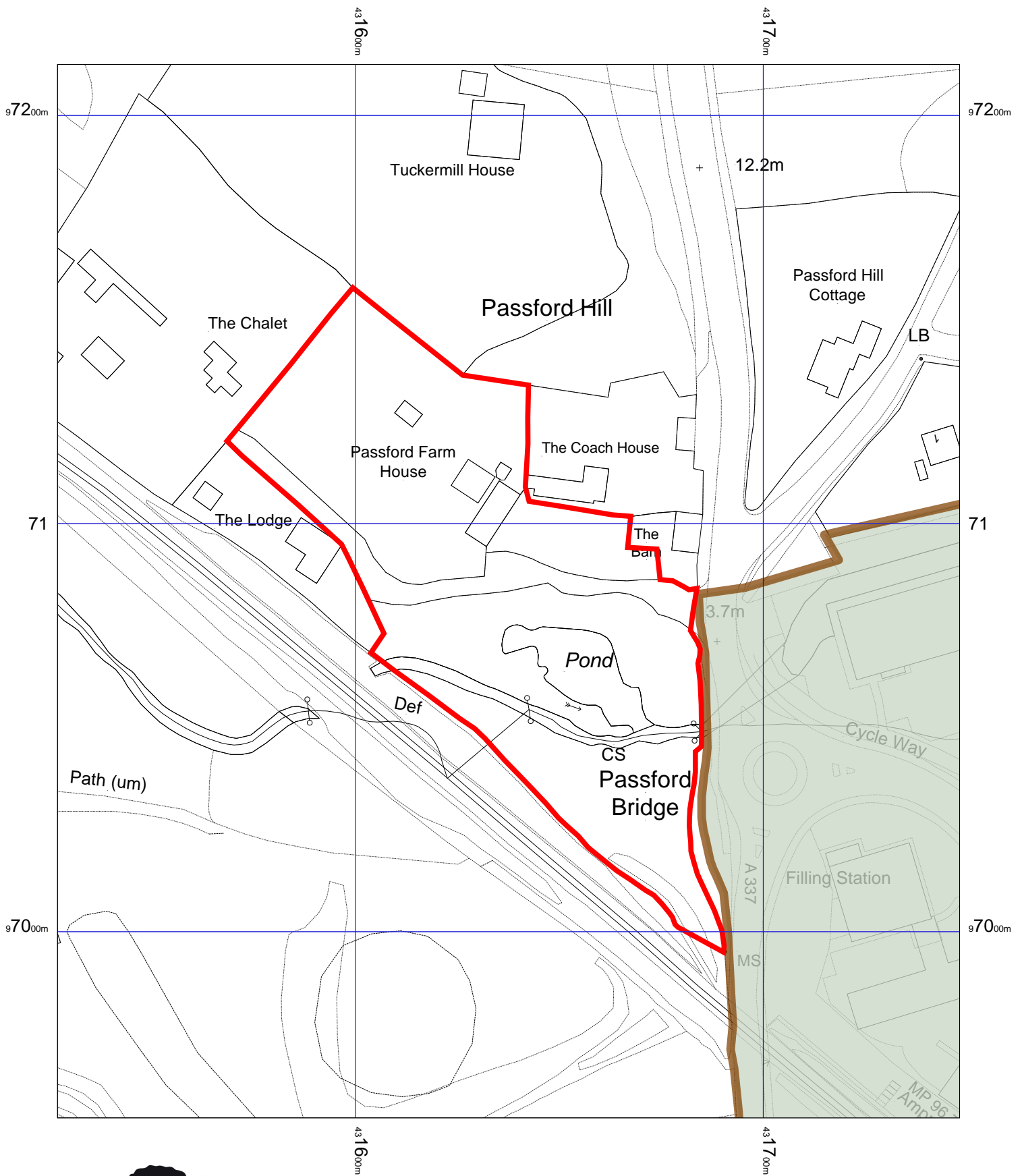
Reason: To ensure an acceptable appearance in accordance with Policies DP2, DP18, SP16 and SP17 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

2. Development shall only be carried out in accordance with drawing number:

04 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).



NEW FOREST  
NATIONAL PARK

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

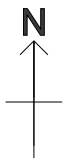
Tel: 01590 646600 Fax: 01590 646666

Date: 18/08/2023

**Ref: 23/00288**

**Scale: 1:1250**

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**Application No:** 23/00665FULL Full Application

**Site:** Forest Cottage, Lymington Road, Brockenhurst SO42 7UF

**Proposal:** Single-storey extension

**Applicant:** Mr & Mrs T Baynham

**Case Officer:** Carly Cochrane

**Parish:** Brockenhurst Parish Council

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**1. REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish View

**2. POLICIES**

**Development Plan Designations**

Listed Building

**Principal Development Plan Policies**

DP2 General development principles

DP18 Design principles

DP36 Extensions to dwellings

SP16 The historic and built environment

SP17 Local distinctiveness

**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**

Brockenhurst Parish Council: Recommend permission.

**5. CONSULTEES**

Building Design & Conservation Area Officer: Unable to support.

Planning Policy Officer: Policy conflict identified.

## **6. REPRESENTATIONS**

None received

## **7. RELEVANT HISTORY**

Removal of section of stud partition; alter mounting location of door (Application for Listed Building Consent) (20/00392) granted on 12 August 2020)

Change of use of barn to B2 Use Class (General Industrial); cladding (17/00479) granted on 03 August 2017

Conservatory (10/95205) granted on 08 July 2010

Conservatory (Application for Listed Building Consent) (10/95207) granted on 08 July 2010

Rear section of roof restored to continuous pitch; boarding replaced by matching brickwork (Application for Listed Building Consent) (05/84487) granted on 16 June 2005

Garden room with porch (Application for Listed Building Consent) (05/84488) granted on 26 May 2005

Garden room with porch (05/84473) granted on 26 May 2005

Single-storey rear extension (04/82678) granted on 04 November 2004

Single-storey rear extension (Application for Listed Building Consent) (04/82679) granted on 04 November 2004

Single storey additions (NFDC/LBC/96/59597) refused on 13 September 1996

Single storey addn/stable bldg/det'd gge/store (NFDC/96/59598) refused on 13 September 1996

Alts, single-storey addn & erect two detached barns (NFDC/LBC/95/57614) refused on 19 February 1996

Single-storey addition & erect two detached barns (NFDC/95/57631) refused on 19 February 1996

Alterations & addition of lounge and lobby (NFDC/LBC/89/41413) granted on 15 August 1989

Alterations & addition of lounge and lobby (NFDC/89/41325) granted on 15 August 1989

## **8. ASSESSMENT**

### **Application Site**

- 8.1 The application site is located to the eastern side of the A337 Lymington Road and comprises a Grade II Listed building (dwelling) which has been significantly extended since its first construction through single storey rear additions, including a conservatory, attached to the dwelling via a glazed link. The site is surrounded by agricultural land, some of which is within the ownership of the applicants. The Pig Beer brewery site is located to the front of the residential curtilage and is run by the applicant and other family members.

### **Proposed Development**

- 8.2 This application seeks permission for a single storey extension attached to the existing single storey additions, again attached to these via a glazed link. The extension would measure approximately 6.8 metres in depth, to include the new glazed link and plant room, 5.2 metres in width, 2.5 metres in height to the eaves and 4.4 metres in height to the ridge to match that of the existing single storey. The extension would be clad in vertically hung timber and have a natural slate roof. The proposal also includes the formation of a basement directly underneath the proposed extension, for use as a laundry and store room, with a biomass heating system. An application for Listed Building Consent has also been submitted (reference 23/00666).

### **Consideration**

- 8.3 The case put forward for additional floorspace can be consolidated to three points, as follows:
- In relation to the needs of a growing family (currently a family of four);
  - A need to be on site in association with the existing brewery business; and
  - Development constraints as a result of the Listed status of the dwelling.
- 8.4 Policy DP36 of the Local Plan sets out that “in the case of small dwellings...the extension must not result on the total internal habitable floorspace exceeding 100 square metres” however “in exceptional circumstances a larger extension may be permitted to meet the genuine family needs of an occupier who works in the immediate locality. In respect of these exceptional circumstances, the total internal habitable floorspace of an extended dwelling must not exceed 120 square metres.” A ‘genuine family need’ is defined as “an exceptional and unique family need that could not have been reasonably anticipated at the time of purchase of the property. For example, additional floorspace may be required 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, it normally would not cater for the needs of growing families or the need to care for

elderly relatives, as these needs are not considered to be so 'exceptional' they warrant a departure from the floorspace restrictions set out in this policy".

- 8.5 This policy was supported at the independent examination into the draft New Forest National Park Local Plan in 2018/19, with the Inspectors' Report (July 2019) concluding, "Policy DP36 sets out the circumstances within which extensions to existing dwellings would be allowed. Whilst concerns are raised regarding the size restriction for small dwellings and new dwellings (100 square metres total internal habitable floorspace); to allow larger extensions would undermine the aim of Policy SP19 which seeks to achieve a more balanced housing stock." (paragraph 89).
- 8.6 All extensions carried out to the dwelling have been after the baseline date for calculating floorspace of 01 July 1982. The single storey extension with glazed link was added pursuant to permission reference 04/82678, and the Officers' Report notes that the dwelling is a small dwelling, with a floorspace of less than 80 square metres. This extension resulted in the floorspace reaching the maximum 100sqm limitation. The application for the conservatory (reference 10/95205) was considered and granted under the exemption policy of the New Forest District Local Plan First Alteration (2005) which allowed for an extension to be added which met the definition of a conservatory, and which did not have a floorspace of greater than 20sqm. This policy exemption was 'closed' with the adoption of the New Forest National Park Core Strategy & Development Management Policies DPD (2010) and has therefore not been in place for over a decade, and the floorspace within such exempted conservatories is now included within the floorspace calculations. The result of the conservatory was essentially that the floorspace restriction of 100sqm was breached, with the total floorspace reaching approximately 112sqm.
- 8.7 The proposal now seeks to add a further 21 square metres of floorspace; this measurement includes the attached plant room, which although is externally accessed, is an attached outbuilding. Paragraph 7.82 of the Local Plan sets out that for the purposes of applying Policies DP35 (not relevant in this case) and DP36, the "floorspace of proposed extensions will include conservatories and attached outbuildings and any habitable floorspace provided within a detached outbuilding." For reference, if it were the case that the plant room were not to be included, which it has not been as per the agent's calculations and which is incorrect, the additional floorspace within the extension would amount to 17.5sqm. This figure again is inconsistent with the agent's stated figures, as the staircase has been excluded. This is also fundamentally incorrect; the Authority's Planning Information Leaflet- Domestic Extensions and Replacement Dwellings- provides guidance on measuring the existing and proposed floorspace, and it is made clear that habitable floorspace is calculated as the "gross internal floorspace, including all floors and stairwells". It is therefore not at the agent's or Authority's discretion to exclude this area from the floorspace calculations. It is also incorrect to exclude stairwells and chimney breasts within the historic core of the dwelling as has been done. Pre-application advice was sought prior to the submission of this application, and the correct way in which to



measure and calculate floorspace was set out to the applicant and their agent at the time; this advice has not been given due regard. The total habitable floorspace therefore amounts to approximately 133sqm, 13sqm over the absolute maximum allowed under policy in the event that a genuine family need is identified. The Design and Access Statement notes that the proposal would exceed the policy restrictions.

- 8.8 The proposed basement would be located directly beneath the proposed extension. The supporting text to Policy DP36, at paragraph 7.82 of the Local Plan sets out that “a modest basement will not normally be regarded as habitable floorspace. However, some judgement will need to be applied in terms of whether it is genuinely a secondary space in association with the main dwelling. Key criteria to consider include availability of light; size (in relation to the main dwelling); access; use; layout and headroom.” In this instance, with a floorspace of approximately 19sqm, the basement is considered to be sufficiently subservient and proportionate in its scale, with uses which can be considered as ‘non-habitable’ such that this area can be excluded from the calculations. However, this does not overcome the fundamental policy conflict identified in respect of floorspace.
- 8.9 Therefore, based on the existing floorspace of 112sqm, should a genuine family need be identified, there would remain 8sqm before the maximum 120sqm limitation would be reached. In cases where additional floorspace is required, even if a genuine family need has been identified, the Authority would always expect that consideration first be given to the reconfiguration of the existing floorspace. In respect of the exempted conservatory, which the submitted Design and Access Statement sets out “is only able to be used in a habitable sense for a few months of each year”, the Planning Information Leaflet states that such conservatories can be adapted or replaced, with solid walls and roof and therefore not meeting the definition of a conservatory, subject to there being no net increase in its floorspace. This advice was given to the applicant within the first pre-application enquiry, and additional information from the agent, provided following feedback from consultees and the case officer, states that this option was considered, however, as the conservatory “is just over 10sqm and whilst this may make an adequate space (alongside the conversion of the existing living room) [which is within the single storey extension] as a family kitchen/dining area it would result in the need for existing rooms within the cottage to be utilised to replace the living room. The ground floor rooms of the cottage are of such small proportions they would not meet the space needs of a family of four for this function”. The additional information goes on to reference the Governments Space Standards (as initially raised within the Policy comments) and that these are a ‘minimum’ and in practice often fail to meet the space needs of average sized families; as such, the conversion of the existing conservatory was not progressed, and the conservatory remains as such within the proposed plans. Even if the conservatory was not put to a different use, upgrades now permitted as per the Planning Information Leaflet in order to allow year-round use (as opposed to a “few months of the year”) have not been put forward.

- 8.10 A further alternative suggested by the Case Officer and Conservation Officer is that the existing floorspace within the single storey elements and glazed link is used instead within, for example, an appropriately designed two storey side extension, particularly as it is apparent the applicant's desire is for a further bedroom and storage space. This option is countered by the agent within the additional information and has been ruled out due to financial restrictions and concerns with regard sustainability and impact upon the historic fabric. Whilst there may be other options for reconfiguration of the existing floorspace that have not been explored, the additional information makes clear that the option for a single storey extension adjoined to the existing single storey element has been chosen due to it causing no damage to the historic fabric and being economically viable. Economic viability in itself is not a reason to permit development which is otherwise contrary to policy.
- 8.11 In relation to the aforementioned space standards, the existing dwelling, with a floor area of 112sqm, is already larger than any net new dwelling consented in the National Park area since 2019, which are limited to 100sqm; this includes all dwellings on the allocated sites. Notwithstanding the agent's comments, the existing floorspace of the dwelling would not therefore be considered unduly 'modest' for a family of four when viewed against the Government's published standards and the New Forest National Park Local Plan policies.
- 8.12 To summarise, the proposal would result in a total floorspace of approximately 133sqm, which is not only a further breach of the floorspace limitation in relation to small dwellings, but in breach of the floorspace limitation in relation to a genuine family need.
- 8.13 In relation to genuine family need, DP36 does provide conditional support for larger extensions to meet the "genuine family needs of an occupier who works in the immediate locality". It is not disputed that the applicant works in the immediate locality as per the policy requirement, as the business is adjacent to the residential curtilage of the dwelling. The policy criteria at paragraph 7.82 of the Local Plan have been set out within the two pre-application responses provided prior to the submission of this application. However, it is clear through the information submitted both as part of this application and the pre-application enquiries that the requirement for the additional floorspace primarily relates to the needs of a growing family. As aforementioned, the policy explicitly makes clear that such needs are not considered exceptional to warrant additional floorspace over and above the usual policy restrictions.
- 8.14 The brewery operating adjacent to the site and within the joint ownership of the applicant was granted permission in 2017 (reference 17/00479). At that point, it is known that there were two people living at the dwelling. If the focus were to be on the locational needs only, similarities can be drawn with other policies within the Local Plan which support residential use on sites where there is an essential need for people engaged in the enterprise to live at, or very close to, their place of work (for example, Policy DP31- Agricultural and forestry workers dwellings). In these cases, consideration is typically given to the financial soundness and sustainability of the business or enterprise, with temporary consents

granted in some circumstances where evidence of the sustainability of the business is inconclusive. The statement confirms, "...the business is small and only recently formed". If this case was presented in support of an application for an agricultural or forestry workers' dwelling, it may not pass the functional and financial tests and, at most, a temporary consent for residential use may be granted; any such dwelling would be limited in its floorspace to a maximum of 100sqm as per Policy SP21 of the Local Plan. The circumstances at the application site are slightly different in that the residential use is established and the existing dwelling is considered to be of a reasonable size for a family of four, as already set out within this report. It would be difficult to conclude that the small-scale business needs at the site justify an extension to what is a reasonably sized dwelling (even when considering that a further 8sqm would meet the maximum requirements, rather than the additional 21sqm proposed). The applicant and owner already has a presence on site and therefore the matters identified in the additional information, including irrigating the hops, security and the brewing/business operations, appear to be capable of being addressed from the current dwelling, at its current size.

8.15 In respect of the listed status of the dwelling, this is not considered a constraint such that unwarranted additional floorspace can be permitted. Suggestions have been made by the Conservation Officer in respect of reconfiguration which have been discounted by the applicant, however, this is not a reason to allow an extension of the proposed design even if there were no floorspace conflict. The dwelling has already been extended to its maximum in relation to the normal policy limitations, and to extend by further elongating the footprint is considered to damage the special historic and architectural qualities of the dwelling for which it was originally listed. Whilst the proposal seeks to extend beyond the normal floorspace restrictions, Paragraph 7.80 of the Local Plan sets out that the floorspace limitations are "not an allowance or entitlement and it is important to emphasize that an extension may comply with the criterion on size [which again, to be explicit, is not considered the case] there could be other harmful impacts which would make the proposal unacceptable. In all cases, the Authority will have regard to the scale and character of the core element of the original dwelling (rather than subsequent additions) in determining whether or not an extension is sympathetic to the dwelling". The extension would result in additions which cumulatively would be disproportionate to the historic core of the dwelling, and to simply continue the single storey projection does not necessarily represent good design. It is acknowledged that, given the design and layout of the existing dwelling, with a catslide roof to the rear, the design of further additions is challenging- it is likely why a narrow glazed link was added as part of the 2004 scheme- however, there are other options which could be more sympathetic.

8.16 In conclusion, whilst it is not disputed that the applicant works in the immediate locality, a case has not been put forward in relation to this which justifies additional floorspace to the maximum of 120sqm, and in no instance would the policy permit additional floorspace beyond this limitation. It is known that the brewery has its own ancillary buildings and that aside from the common ownership, the operation of the brewery and the occupation of the dwelling are distinct. There is already an on-site

presence by reason of the occupation of the existing dwelling providing the required surveillance in respect of the hop plantation, sheep and security; the additional floorspace would not alter this, although it is inferred that if the additional floorspace cannot be achieved, then the applicant would be forced to move and due to the house prices, would no longer be able to live in close proximity to the business. Whilst, at the time of the purchase of the property, a growing family may not have been anticipated, the policy explicitly states that the needs of growing families are not considered exceptional. Therefore, the proposal is in conflict with Policies DP2, DP18, DP36, SP16 and SP17 of the adopted Local Plan.

### **Conclusion**

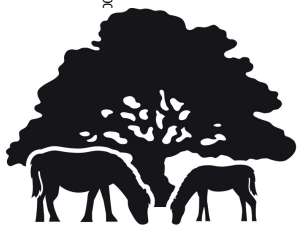
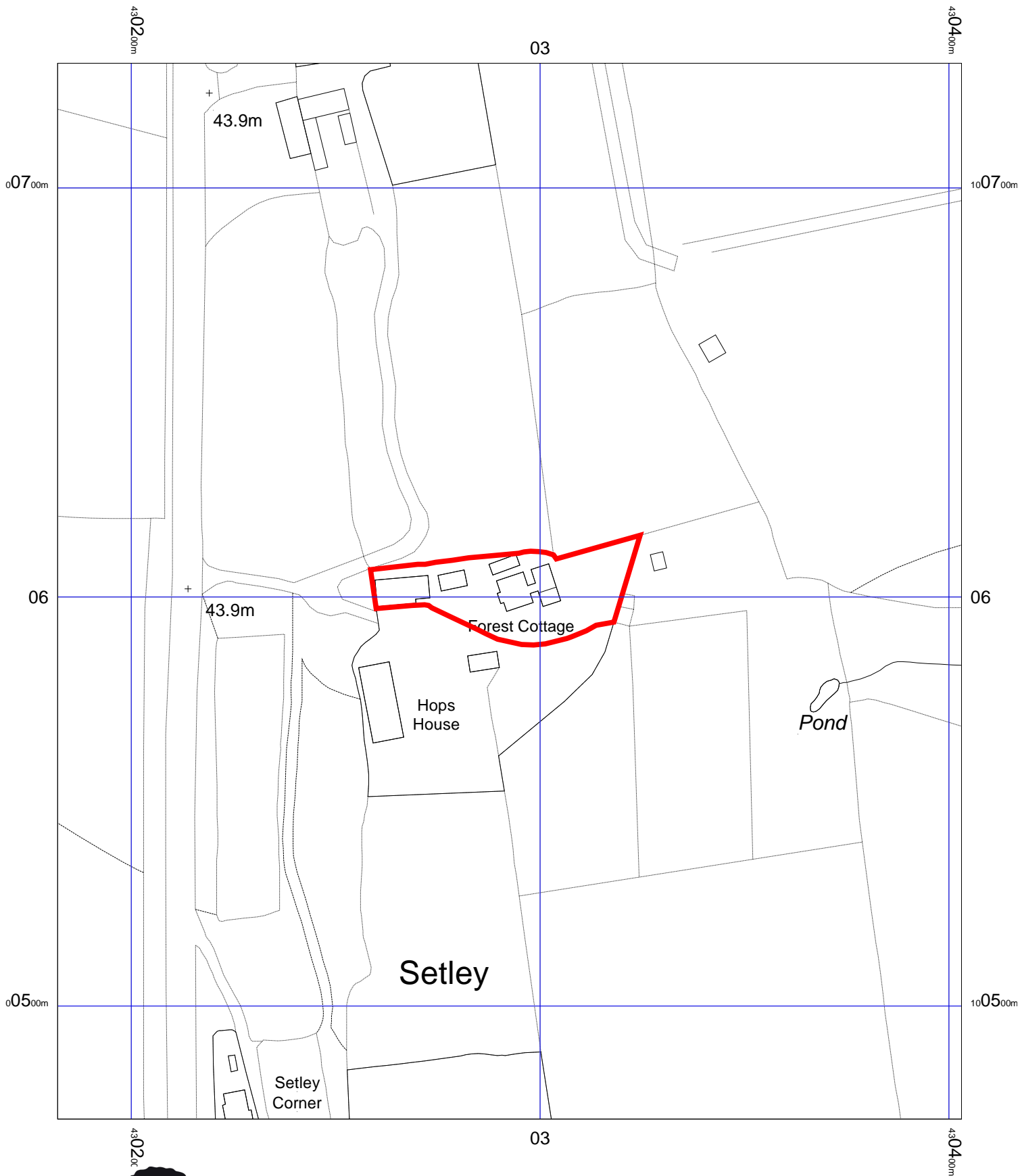
8.17 It is therefore recommended that the application be refused.

## **9. RECOMMENDATION**

Refuse

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

1. In order to help safeguard the long term future of the countryside and the intrinsic character of the National Park, the Local Planning Authority considers it important to resist the cumulative effect of enlargements being made to rural dwellings. Consequently, Policy DP36 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019) seeks to limit the proportional increase in the size of such dwellings in the New Forest National Park recognising the benefits this would have in minimising the impact of buildings on a nationally important landscape and activity generally in the countryside as well as maintaining a balance in the housing stock. The proposal would result in a total floorspace of the dwelling in excess of both the policy restriction for a small dwelling, of 100 square metres, and in relation to a genuine family need, of 120 square metres. Notwithstanding this, a genuine family need which warrants additional floorspace has not been successfully demonstrated or identified. The proposed development is therefore contrary to Policies DP2 and DP36 of the adopted New Forest National Park Local Plan (August 2019).
2. The proposed extension would represent an inappropriate form of development which would damage the special historic and architectural qualities of the Listed Building. The design results in a projection which is disproportionate and unrelated to the core of the original dwelling, and the proposal is therefore contrary to Policies DP2, DP18, SP16 and SP17 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019) and the NPPF.



NEW FOREST  
NATIONAL PARK

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

Tel: 01590 646600 Fax: 01590 646666

Date: 18/08/2023

**Ref: 23/00665FULL**

**Scale: 1:1250**

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**Application No:** 23/00666LBC Listed Building Consent

**Site:** Forest Cottage, Lymington Road, Brockenhurst SO42 7UF

**Proposal:** Single storey extension (Application for Listed Building Consent)

**Applicant:** Mr & Mrs Baynham

**Case Officer:** Carly Cochrane

**Parish:** Brockenhurst Parish Council

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**1. REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish View

**2. POLICIES**

**Development Plan Designations**

Listed Building

**Principal Development Plan Policies**

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

**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**

Brockenhurst Parish Council: Recommend permission.

**5. CONSULTEES**

Building Design and Conservation Area Officer: Unable to support.

## 6. REPRESENTATIONS

None received.

## 7. RELEVANT HISTORY

Removal of section of stud partition; alter mounting location of door (Application for Listed Building Consent) (20/00392) granted on 12 August 2020)

Change of use of barn to B2 Use Class (General Industrial); cladding (17/00479) granted on 03 August 2017

Conservatory (10/95205) granted on 08 July 2010

Conservatory (Application for Listed Building Consent) (10/95207) granted on 08 July 2010

Rear section of roof restored to continuous pitch; boarding replaced by matching brickwork (Application for Listed Building Consent) (05/84487) granted on 16 June 2005

Garden room with porch (Application for Listed Building Consent) (05/84488) granted on 26 May 2005

Garden room with porch (05/84473) granted on 26 May 2005

Single-storey rear extension (04/82678) granted on 04 November 2004

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Single storey addn/stable bldg/det'd gge/store (NFDC/96/59598) refused on 13 September 1996

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Alterations & addition of lounge and lobby (NFDC/LBC/89/41413) granted on 15 August 1989

Alterations & addition of lounge and lobby (NFDC/89/41325) granted on 15 August 1989

## 8. ASSESSMENT

### Application Site

- 8.1 The application site is located to the eastern side of the A337 Lymington Road and comprises a Grade II listed building (dwelling) which has been significantly extended since its first construction through single storey rear additions, including a conservatory, attached to the dwelling via a glazed link. The site is surrounded by agricultural land, some of which is within the ownership of the applicants. The Pig Beer brewery site is located to the front of the residential curtilage and is run by the applicant and other family members.

### Proposed Development

- 8.2 This application seeks permission for a single storey extension attached to the existing single storey additions, again attached to these via a glazed link. The extension would measure approximately 6.8 metres in depth, to include the new glazed link and plant room, 5.2 metres in width, 2.5 metres in height to the eaves and 4.4 metres in height to the ridge to match that of the existing single storey. The extension would be clad in vertically hung timber and have a natural slate roof. The proposal also includes the formation of a basement directly underneath the proposed extension, for use as a laundry and store room, with a biomass heating system. An application for planning permission has also been submitted (reference 23/00665).

### Consideration

- 8.3 The first statutory purpose of National Parks as set out in primary legislation is “to conserve and enhance the natural beauty, wildlife and cultural heritage of the New Forest” (emphasis added). Within the Local Plan, Policy SP16 (The historic and built environment) sets out that “proposals should protect, maintain or enhance nationally, regionally and locally important sites and features of the historic and built environment” and “proposals will be supported where they conserve and enhance the significance or special interest of designated heritage assets, i.e. they...do not harm the significance, or result in the loss of a...listed building, including through inappropriate siting, size, scale, height, alignment, materials, finishes (including colour and texture) design and forms, and...make a positive contribution to, or better reveal, or enhance the appreciation of, the significance or special interest of a heritage asset or its setting”.
- 8.4 It is considered that the proposed extension would result in an addition which cumulative with the previous additions, would be disproportionate to the historic core of the dwelling, and whilst the proposed extension would not be directly attached to any historic fabric, to simply continue the single storey projection does not necessarily represent good design. It is also acknowledged that not all historic buildings can be extended due to the design constraints. Given the design and layout of the existing dwelling, with a catslide roof to the rear, the design of further additions is challenging- it is likely why a narrow glazed link was added as part of the



2004 scheme- however, there are other options which could be more sympathetic and appropriate and which have not been fully explored, nor has it been satisfactorily demonstrated that the reconfiguration of the existing floorspace could not achieve the desired space requirements. Paragraph 7.80 of the Local Plan sets out that in relation to extensions “In all cases, the Authority will have regard to the scale and character of the core element of the original dwelling (rather than subsequent additions) in determining whether or not an extension is sympathetic to the dwelling”. In this instance, as aforementioned, the proposal would result in a disproportionately elongated footprint which is considered to erode and detract from the special historic and architectural qualities of the dwelling for which it was originally listed, causing harm to the listed building contrary to Policy SP16.

### **Conclusion**

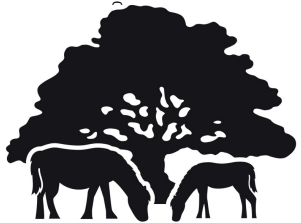
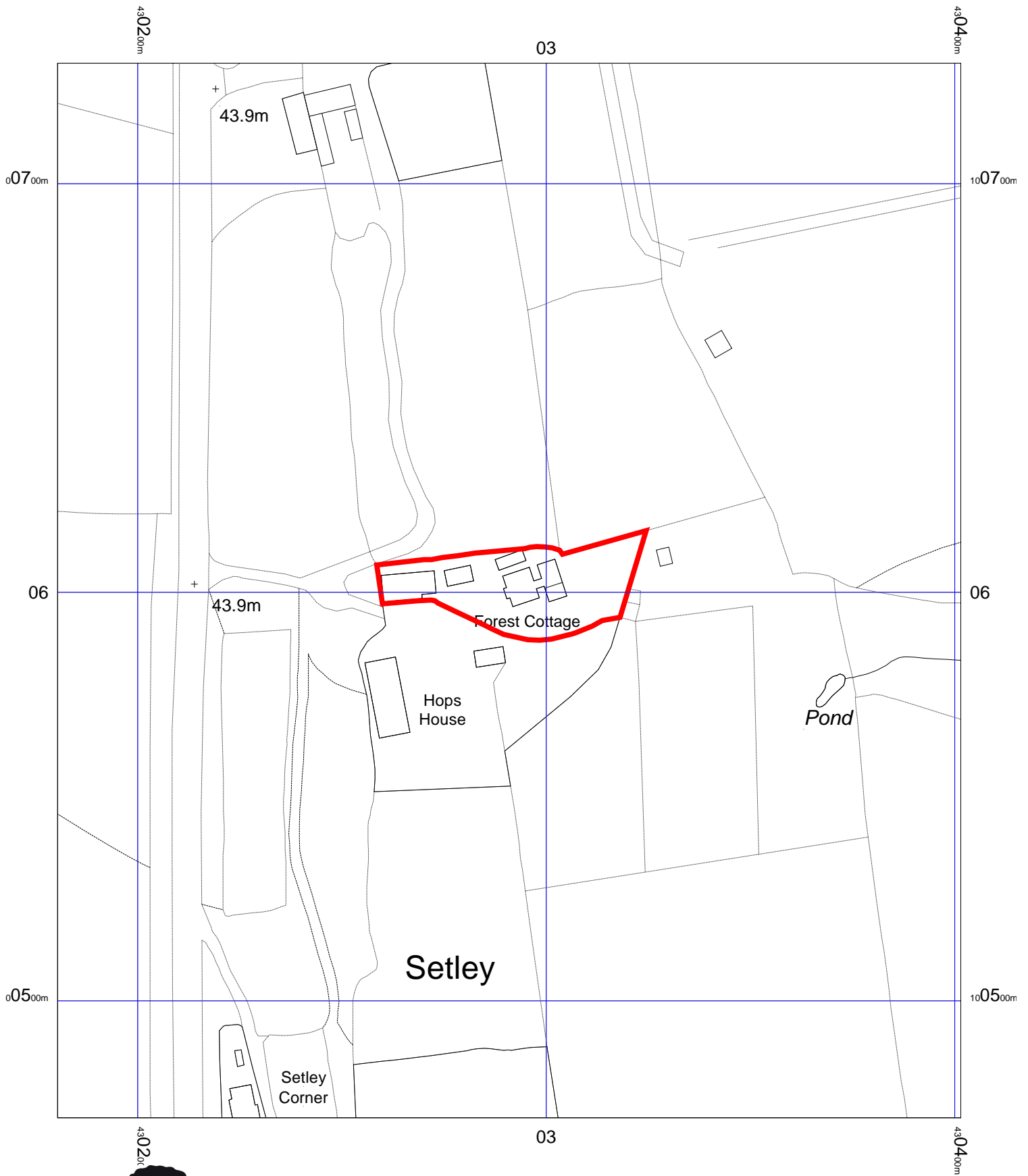
8.5 It is therefore recommended that listed building consent is refused.

### **9. RECOMMENDATION**

Refuse

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

1. The proposed extension would represent an inappropriate form of development which would damage the special historic and architectural qualities of the Listed Building. The design results in a projection which is disproportionate and unrelated to the core of the original dwelling, and the proposal is therefore contrary to Policies DP2, DP18, SP16 and SP17 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019) and the NPPF.



NEW FOREST  
NATIONAL PARK

New Forest National Park Authority  
Lymington Town Hall, Avenue Road,  
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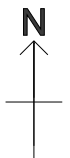
Tel: 01590 646600 Fax: 01590 646666

Date: 18/08/2023

**Ref: 23/00666**

**Scale: 1:1250**

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**Application No:** 23/00689FULL Full Application

**Site:** Candys, Burley Lawn, Burley, Ringwood BH24 4DL

**Proposal:** Ground and first floor single storey extensions; 2no. additional dormers; alterations to doors and windows; terrace; demolition of existing single storey extensions; infill pond

**Applicant:** Mr & Mrs Townsend

**Case Officer:** Claire Woolf

**Parish:** Burley Parish Council

**1. REASON FOR COMMITTEE CONSIDERATION**

Application from relative of Officer

**2. POLICIES**

**Development Plan Designations**

Conservation Area

**Principal Development Plan Policies**

DP2 General development principles  
 DP18 Design principles  
 DP36 Extensions to dwellings  
 SP15 Tranquillity  
 SP16 The historic and built environment  
 SP17 Local distinctiveness

**NPPF**

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

**3. MEMBER COMMENTS**

None received

**4. PARISH COUNCIL COMMENTS**

Burley Parish Council: Happy to accept the decision reached by the National Park Authority's Officers under their delegated powers.

## **5. CONSULTEES**

Ecologist: No objection subject to condition. The conclusions reached and recommendations for mitigation and compensation seem proportionate and sufficient to achieve legal compliance.

## **6. REPRESENTATIONS**

One objection from neighbouring property on the following grounds:

- Privacy of rear of property and rear garden would be compromised by new first floor extension.
- Additional screening and obscure glazing requested.

## **7. RELEVANT HISTORY**

Single storey extension (demolition of existing) (14/00181) granted on 08 May 2014.

Orangery (demolition of existing conservatory) (13/98525) granted on 26 July 2013.

Demolition of single storey side extension; Replacement single storey extension (08/93389) refused on 17 November 2008.

Car port (06/87131) granted on 22 March 2006.

Single-storey rear extension (04/82556) granted on 21 October 2004.

Single-storey rear extension; two dormers (04/80667) granted on 07 April 2004.

Conservatory (00/70409) granted on 08 December 2000.

Two-storey addition (NFDC/93/51494) refused on 01 April 1993.

Single & 2-storey additions (NFDC/90/44419) granted on 06 April 1990.

Rebuilding of part of stable block and car port (NFDC/81/20704) granted on 24 November 1981.

## **8. ASSESSMENT**

### **Application Site**

- 8.1 Candys is a late Victorian, two-storey detached dwelling located in the Burley Conservation Area. The property has an external appearance of red brick, render, wood and tile hanging. The property is accessed from the north of Burley Lawn via a long gravel track. A large single storey domestic outbuilding is located to the front of the dwelling.

## **Proposed Development**

- 8.2 Permission is sought for a first-floor extension above an existing boot room on the east of the dwelling and to construct a single storey extension to the rear and north of the dwelling. To facilitate the additions, the single storey extension on the north elevation would be demolished. The form of the proposed development would take that of a two-storey side addition, with matching features and materials to the existing dwelling. The two-storey addition would be the same width as the existing single storey part of the property. It would have a dormer on the south-west and north-east elevation. Two dormers are proposed on the north west elevation. The single storey extension would replace an existing single storey mono-pitch brick-built addition and conservatory. A terrace area would be located where a pond was once situated and would wrap around the kitchen and dining room. An existing door would be altered into a window on the north-east elevation.

## **Consideration**

- 8.3 The key issues to assess are:
- Accordance with Policy DP36;
  - The impact upon the character and appearance of the conservation area;
  - The impact upon neighbouring amenity (Policy DP2 e); and
  - The impact on ecology.
- 8.4 Candys is located outside of the defined New Forest villages and is not a small dwelling. Policy DP36 sets out that extensions to dwellings will be permitted provided they are appropriate to the existing dwelling and curtilage and, in the case of dwellings which are not small dwellings, the extension must not result in a total internal habitable floor space exceeding 30% of the floorspace on 1st July 1982. From the Authority's records, the property has been extended since this date. The application seeks to demolish an existing lean-to containing the dining room, and an orangery granted in 2013, and for it to be replaced by a smaller single storey flat roof extension with parapet and rooflight. Two dormers would be added at first floor level. Adjoining the master bedroom would be a new ensuite and dressing room and flue above the existing utility room and pantry. This would be in the form of a two-storey extension constructed of the same materials as the existing and a pitched roof dormer on the north-east and south west elevation of the dwelling. Taking account of the ground floor demolition at this site, the proposed additions would not result in a floor area exceeding the current floorspace of the property. Subject to a condition securing demolition, the proposed extensions would comply with the requirements of Policy DP36. Permitted development rights have previously been removed via condition in two applications and apply to the property. It is therefore not necessary to remove permitted development rights through this application.
- 8.5 In relation to the character and appearance of the conservation area, the Authority has a duty imposed by section 72(1) of the Planning (Listed

Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving or enhancing the character or appearance of a conservation area. Further, 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 proposed extension to the southeast elevation of the dwelling would use the form and materials of tile hanging, pitched roof tiles, timber panels and render in-fill to match the existing. The form would include gable roof forms of the same pitch as the existing, it is therefore considered that this part of the development would preserve the character and appearance of the conservation area. In relation to the single storey part of the proposal, the addition would be simple in form and additional glazing has been added, so it would appear less bulky. Whilst the single storey addition would project from the side elevation of the dwelling by 1.7 metres, it is not considered to detract from the character or form of the dwelling or character of the conservation area. The extent of glazing is not excessive and would result in a reduction in glazing and light pollution compared to the existing orangery form. The proposal would adhere to the requirements of these policies and would be appropriate to the core of the dwelling and curtilage in accordance with Policy DP36.

- 8.6 Policy DP2 e) seeks to ensure that development would not result in unacceptable adverse impacts on amenity in terms of additional impacts, visual intrusion, overlooking or shading. The proposal has received an objection from South Cottage to the southeast of the dwelling. The distance between the upper floor window proposed at Candys and the rear wall of South Cottage is 50 metres. Between the curtilage boundaries is a single storey domestic outbuilding and some vegetation. At this distance, it is assessed that there would not be a significant unacceptable adverse effect upon amenity of South Cottage through additional impacts, visual intrusion, overlooking or shading. The rear garden of South Cottage wraps around the side of the curtilage boundary of Candys. The proposed first floor window on the south elevation of Candys would result in some limited overlooking into the very rear garden of South Cottage, however, overall, it is considered that a suitable level of private amenity space would be maintained at South Cottage. Given the spatial relationship between the properties and details outlined it is not considered reasonable or necessary to require the first-floor window to be obscure glazed or that additional planting would be required. The terrace would be located to the northwest corner of the dwelling and would not result in any adverse effects upon amenity. The proposal would therefore comply with the requirements of this policy.
- 8.7 A domestic pond was originally located to the north east of the dwelling between the snug and kitchen. At of the time of the Officer's site visit, the pond had already been removed and the land reverted to earth. The Authority's Ecologist has concluded that, given its current condition, it would not be able to support species, and would likely have offered reduced habitat suitability due to the context and location. For this reason, there is no objection to this area being used for terracing.

- 8.8 The Authority's Tree Officer has considered whether there would be any impact upon trees protected by the Conservation Area designation. The proposed works would not have a detrimental impact on existing trees. The proposal would therefore adhere to the requirements of Policies DP2 c) and SP16.
- 8.9 A preliminary bat survey has been provided to support the application, concluding that bats and swifts were present in/on/around the building and for this reason further survey works were carried out. 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 homeowners' requirements). The third test relates to the maintenance of the conservation status of the population of protected species. The Authority's Ecologist has confirmed 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. Conditions to secure the recommendations of the ecological report and requiring a post development report to be submitted to the Authority are appropriate. 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. The proposed development would therefore be in accordance with Policy SP6.

### **Conclusion**

- 8.10 It is therefore recommended that planning permission is granted subject to conditions.

## **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. Development shall only be carried out in accordance with

Drawing numbers: 9949.100 Rev P5, 9949.102 Rev P4

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. The external facing materials to be used in the development shall match those used on the existing building, 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 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

4. All materials, machinery and any resultant waste materials or spoil shall be stored within the red line application site unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of protecting the New Forest Site of Special Scientific Interest, Ramsar, Special Area of Conservation and Special Protection Area in accordance with Policy SP6 and Policy SP5 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

5. No windows/doors shall be installed until the following details have been submitted to and approved in writing by the New Forest National Park Authority.

a) Typical joinery details including window/doors, eaves, verge, bargeboards.

b) Any other detail relevant to the case

Development shall only take place in accordance with those details which have been approved.

Reason: To protect the character and architectural interest of the building in accordance with Policies DP2, DP18 and SP16 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

6. Within 3 months of commencing the extensions hereby approved, the development edged in red on drawing no: 9949.102 Rev P4 shall be fully demolished to ground level, with the affected elevations (north-east and north-west) made good with matching materials in accordance with drawing no: 9949.102 Rev P4.

Reason: In order to ensure that no additional habitable floorspace is



created, in order to comply with the requirements of Policy DP36 of the New Forest National Park Local Plan 2016 - 2036 (adopted August 2019).

7. 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 abbas ecology report 'Ecological Impact Assessment Report: Bats' dated August 2023 and abbas ecology Bat Preliminary Roost Assessment reports hereby approved. The specified measures shall be implemented and retained at the site in perpetuity.

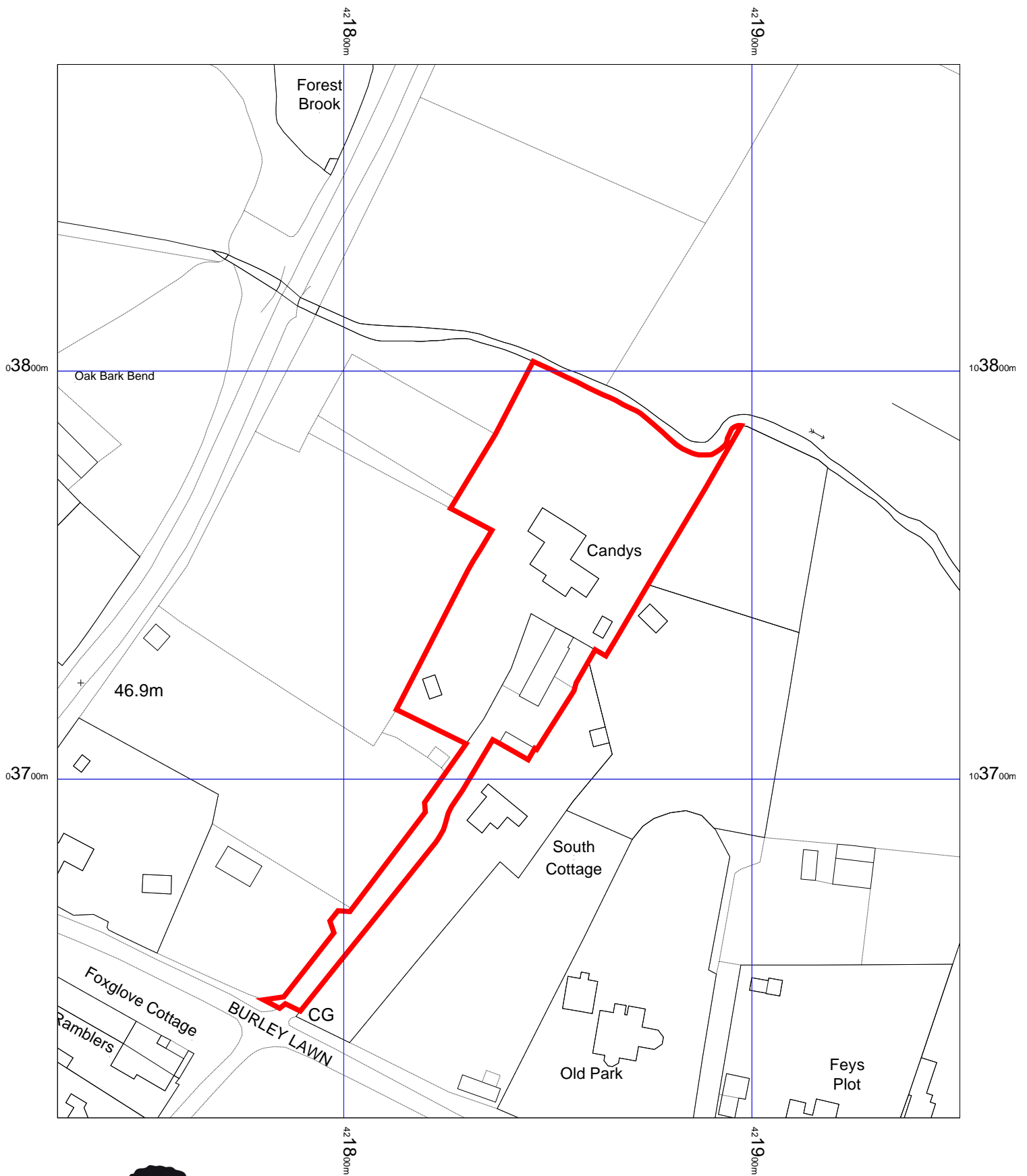
Reason: To safeguard protected species in accordance with Policies DP2 and SP6 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

8. Within three months of the completion of the development the ecological mitigation and enhancement measures shall be inspected by the Ecologist to ensure that they are functional and in accordance with the requirements of the submitted reports (as set out within the abbas ecology report 'Ecological Impact Assessment Report: Bats' dated August 2023 and abbas ecology Bat Preliminary Roost Assessment dated 31st May 2023 hereby approved, shall be submitted to the Authority. This should be undertaken by a professional ecologist, and can be in the form of an email/photos). Written confirmation of these measures shall be provided to the Local Planning Authority.

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).

#### **Informative(s):**

1. It is noted nesting swifts are located in the vicinity. Swifts are a migratory species, only present in the UK for a short period and whose population is threatened. All wild birds are protected under the Wildlife and Countryside Act 1981. It is an offence to: kill, injure or take wild birds; take, damage or destroy the nests of species that reuse them, such as osprey; take, damage or destroy a nest that's in use or being built; take or destroy the egg of any wild bird; possess or control any wild bird (alive or dead), possess or control an egg or any part of an egg of a wild bird. Additional protection applies to birds listed in schedule 1 of the Wildlife and Countryside Act 1981. It is an offence to intentionally or recklessly disturb a schedule 1 bird: on or near a nest containing eggs or young; when it's building a nest; or its dependent young.



NEW FOREST  
NATIONAL PARK

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

Tel: 01590 646600 Fax: 01590 646666

Date: 18/08/2023

**Ref: 23/00689FULL**

**Scale: 1:1250**

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**Application No:** 23/00701FULL Full Application

**Site:** 15 Forest Gardens, Lyndhurst SO43 7AF

**Proposal:** Single-storey front, rear and side extensions; extension to front porch; balcony; cladding; render; demolition of existing attached garage.

**Applicant:** Mrs Ashworth

**Case Officer:** Claire Woolf

**Parish:** Lyndhurst Parish Council

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**1. REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish Council view.

**2. POLICIES**

**Development Plan Designations**

Conservation Area  
Defined New Forest Village Lyndhurst

**Principal Development Plan Policies**

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

**NPPF**

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

**3. MEMBER COMMENTS**

None received

**4. PARISH COUNCIL COMMENTS**

Lyndhurst Parish Council: Recommend refusal, for the reasons listed below, but would accept the decision reached by the National Park Authority's Officers under their delegated powers.

The Parish Council recommended refusal of the original proposals and it is considered that the proposed flat roofs to the front of the property

increase the detriment to the street scene within this particular miniature 'Garden City' type development. Specifically mentioned in the Lyndhurst Conservation Area Character Appraisal, it is felt that Item 4.4.15 should be adhered to if the area is not to be damaged. The above item states: 'Any future proposals for alteration of buildings in this planned development should be considered with particular care, to enable the garden city ethos and Arts and Crafts detailing to be retained and enhanced'

## **5. CONSULTEES**

None required.

## **6. REPRESENTATIONS**

None received.

## **7. RELEVANT HISTORY**

Single storey front, rear and side extensions; extension to front porch; balcony; cladding; render; demolition of existing attached garage (21/01098FULL) granted on 19 April 2022.

## **8. ASSESSMENT**

### **Application Site**

- 8.1 The application site comprises a detached, two storey dwelling set centrally within a linear plot. Residential properties are sited to the north and south of the site, and agricultural land lies to the west. The site lies within the Lyndhurst Conservation Area. The dwelling is of no particular architectural merit and is substantially different in terms of its form to the other dwellings within Forest Gardens.

### **Proposed Development**

- 8.2 Permission is sought to extend the dwelling at the front via a flat roof extension to the front of the dwelling to form a sitting room and store in place of the existing double garage and store. The east elevation would have an external appearance of vertical timber cladding with accents of brick for a chimney and a further smaller flat roof extension. A store would be added to the side of the house (and only accessed internally). It would have a lean-to roof with three rooflights. It would have an external appearance of brick. The south elevation would have a mix of timber cladding and render with two high level ground floor windows. A rear infill extension with a flat roof and render is proposed and in the process of being built. The development to the rear has already been granted (application reference: 21/01098).
- 8.3 By way of background, planning application reference: 21/01098 was granted for extensions of similar footprint and form. The current design would incorporate the same materials as in application reference: 21/01098, albeit the extension to the front of the dwelling had a rhythmic

appearance with several pitch and mono-pitch roof forms. The new roof form at the front of the dwelling would consist of two flat roofs. The design to the rear of the dwelling would remain the same. The north elevation would be similar, albeit the store would have three high level windows and different extent of materials. The south elevation would have alterations to the extent of the fenestration.

### **Consideration**

- 8.4 The site is located within the defined New Forest village of Lyndhurst, and the dwelling is not a small dwelling. As such, there are no specific floorspace restriction to adhere to. However, Policy DP36 of the Local Plan, which relates to extensions to dwellings, states that extensions must be appropriate to the existing dwelling and its curtilage, and regard should be given to the scale and character of the core element of the original dwelling in determining whether an extension is sympathetic to the dwelling.
- 8.5 The existing dwelling features a flat roofed garage attached to the principal elevation, covering a footprint of approximately 44 square metres and with a height of 2.5 metres. It is proposed to alter the garage area, and for it to be converted into a sitting room and store, of the same internal floorspace as existing. An appropriate level of parking provision would be retained. The height of the altered garage area would be 3.3 metres in height. Additional fenestration would be added to the south and west elevation. A modest single storey extension is also proposed to the front elevation of the dwelling; the extension would cover a footprint of 10 square metres with a flat roof at 3.1 metres tall. The extension at the principal elevation would not extend beyond the existing forward most wall of the proposed dwelling. A modest single storey lean-to side extension would adjoin the northern elevation of the dwelling.
- 8.6 The proposed single storey extensions to the dwelling would appear appropriate in terms of their scale and form and would integrate appropriately with the existing dwelling. Although they would have a flat roof, the existing garage has a flat roof, and an additional modest area of flat roof, albeit 0.6 metres higher is not considered to result in a significantly greater impact or negative effect upon the character or form of the dwelling. It would therefore adhere to the requirements of Policy DP36.
- 8.7 The existing facing materials provide the dwelling with a suburban appearance. The proposed facing materials of natural timber cladding, facing brickwork, and render, would enhance the appearance of the dwelling. The extent of cladding was reduced in the previous application, and the extent of facing brickwork increased, following concerns that this would not appear appropriate to the surrounding semi-residential area. Additional render has been proposed on the south elevation in this application, and the formation of glazing, cladding and brick has altered on the front elevation. These changes would appear acceptable to the host dwelling and provide a level of rhythm and interest to the front elevation that would no longer be provided through the roof forms. It is recommended a condition is applied requiring the submission of the

external materials of the dwelling to ensure it assimilates appropriately into the character and appearance of the Conservation Area.

8.8 The proposed development would be appropriate to the existing dwelling and its curtilage and, whilst the design would be different to other dwellings within Forest Gardens, number 15 has a more suburban, non-characterful appearance. The choice in design and use of natural timber cladding would enhance the character of the dwelling, in accordance with Policies SP16, SP17 and DP18.

8.9 The proposed balcony to the rear has already been permitted and would not extend beyond the footprint of the existing balcony at the rear elevation of the dwelling. It is not considered that the proposed development would result in any adverse impacts relating to overlooking. As the extensions would be single storey, and would be well contained within the plot, there would be no adverse impact upon neighbour amenity with regard to visual intrusion or shading. Neighbour amenity would therefore be suitably retained in accordance with Policy DP2.

### **Conclusion**

8.11 For the reasons outlined above, it is recommended that permission is granted subject to conditions

## **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. Development shall only be carried out in accordance with

Drawing numbers: 01, 02, 03 Rev 01, 04 Rev 01, 05 Rev 02, 06 Rev 01, 07 Rev 01.

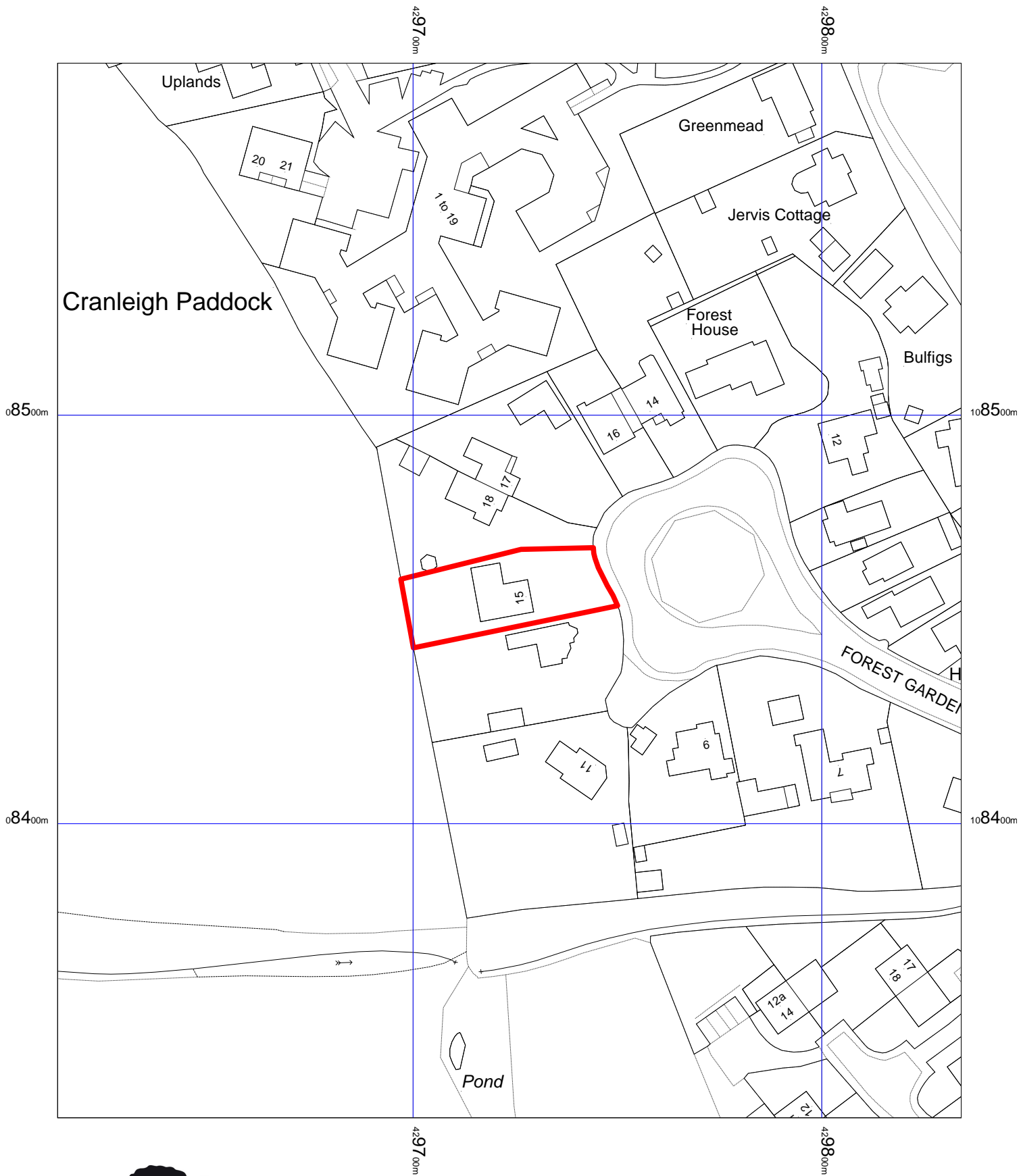
No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.

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 cladding or render shall be applied 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 Policies DP2, SP16 and SP17 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).



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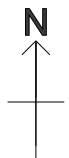
Tel: 01590 646600 Fax: 01590 646666

Date: 12/09/2023

**Ref: 23/00701FULL**

**Scale: 1:1250**

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**Application No:** 23/00815FULL Full Application  
**Site:** Myrtle Cottage, Royden Lane, Boldre, Lymington SO41 8PJ  
**Proposal:** Outbuilding  
**Applicant:** Mr Joe Purcell  
**Case Officer:** Claire Woolf  
**Parish:** Boldre Parish Council

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**1. REASON FOR COMMITTEE CONSIDERATION**

Contrary to Parish Council view

**2. POLICIES**

**Principal Development Plan Policies**

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

**NPPF**

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

**Supplementary Planning Documents**

Design Guide SPD

**3. MEMBER COMMENTS**

None received

**4. PARISH COUNCIL COMMENTS**

Boldre Parish Council: Recommend refusal, for the reasons listed.

This traditional Forest cottage and Heritage Asset has become increasingly overdeveloped, and BPC cannot support this application. This application seeks to change the whole ambience of this very narrow, rural lane and the special qualities of the National Park.

## **5. CONSULTees**

Building, Design and Conservation Officer: No objection.

## **6. REPRESENTATIONS**

None received.

## **7. RELEVANT HISTORY**

Replacement first floor; replacement roof; two porches; side extension, repair works (including repointing and some reinstatement) to retained ground floor walls; outbuilding; chimney; replacement timber windows, (23/01039FULL)- pending decision.

2no. Outbuildings; vehicular and pedestrian access; hardstanding; demolition of 4no. outbuildings (Application for a Non-Material Amendment to planning permission 21/00690) (23/00704NMA) withdrawn on 26 June 2023.

Application to vary condition 3 of planning permission 21/00020 for one & two storey extensions; porch; alterations to doors and windows; removal 1no. chimney; demolition of existing single storey extension to allow minor material amendments (22/00532) granted on 07 September 2022.

Outbuilding (22/00228), grant subject to conditions, 21 June 2022.  
2no. Outbuildings; vehicular and pedestrian access; hardstanding; demolition of 4no. outbuildings (21/00690) granted on 15 February 2022.

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

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.

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

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.

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

Addition of a sun porch, (85/28850), grant 04 April 1985.  
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.

Conservatory (NFDC/79/14693) granted on 07 December 1979.

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.

## **8. ASSESSMENT**

### **Application Site**

- 8.1 Myrtle Cottage is a detached, two-storey dwelling located in rural surroundings. The dwelling is currently being developed. The northern boundary of the site is directly adjoined by a public right of way. The cottage has a traditional end-on alignment with Royden Lane. Open fields adjoin the western boundary. Mature hedgerows define the residential curtilage, and there is a low post and rail fence and timber field gate at the roadside boundary of the site. There is an outstanding application for development to the dwelling, which is currently under consideration.

### **Proposed Development**

- 8.2 Permission is retrospectively sought for an outbuilding to the south of the dwelling. The proposed outbuilding would be 4.3 metres tall, 6 metres wide, and 9.6 metres long. The building would have an eaves height of 2.75 metres. The outbuilding would be used as a home office/garaging and store.
- 8.3 By way of background, application reference: 21/00690 granted an outbuilding in this location with an eaves height of 2.55 metres, ridge height of 4.5 metres, width of 6 metres and length of 9.6 metres to end of log store, with timber cladding, brick plinth and hipped roof.
- 8.4 The changes between the two applications include the repositioning of vehicle and pedestrian doors on the front elevation, internally repositioning the stairs from ground to first floor internally. Changing the formation of the main roof to have a central flat roof element, but with the appearance of a ridged roof form from the front elevation. The overall height is 0.2 metres lower, with an eaves height 0.20 metres higher than application reference: 21/00690. The wood store has been repositioned, and the roof of the side store is of similar design, but with a more substantial presence.

### **Consideration**

- 8.5 The key issues to assess are,
- Accordance with Policy DP37;
  - The impact and appearance of the street scene; and
  - The impact on neighbouring amenity.
- 8.6 The outbuilding would be located within the established residential curtilage of the dwelling and is annotated for use for the storage of two cars, work bench, fire wood store, bike store and refuse bin store, with

the first floor area used for two home offices and stair well. The uses referred to are considered to be capable of being used for purposes incidental to the host dwelling and not providing additional habitable accommodation. A condition is recommended requiring use for incidental, non-habitable purposes. The proposed outbuilding would not result in an unacceptable level of private amenity or parking provision being available at the dwelling. The proposed outbuilding would be narrower and shorter than the footprint of the host dwelling, and would be smaller in design, scale, size, height and massing, such that it would appear as subservient and proportionate to the host dwelling. The outbuilding the subject of this application, has a lower height than previously submitted. The proposal would therefore adhere to the requirements of Policy DP37.

8.7 In terms of neighbouring amenity, the three rooflights to the rear of the building would overlook fields to the rear of the outbuilding, and for this reason, it is not considered there would be a significant adverse effect upon neighbouring amenity. The building is located more than half a metre from the boundary with Merrie Mead, and more than 20 metres from the side of the dwelling. For these reasons, there would be no significant adverse effect upon overlooking, overshadowing or additional effects upon Merrie Mead in accordance with Policy DP2.

8.8 The proposed building uses natural materials, which include a natural untreated waney edge weather boarding and clay rooftiles which are acceptable, high quality materials suitable for an incidental outbuilding.

8.9 The Parish Council have raised concerns regarding the character and appearance and special qualities of the rural lane, heritage asset and National Park and that the outbuilding results in overdevelopment. A taller outbuilding of the same footprint and materials has previously been permitted under the same Local Plan policies. The outbuilding in its current form would not have a significantly greater impact upon the character and appearance of the rural lane, heritage asset, National Park or amenity space on the plot than the previous granted application, such as to warrant a refusal. For this reason, it is recommended it would not be reasonable to sustain an objection to the application.

#### 8.10 **Conclusion**

Permission is recommended subject to conditions.

### 9. **RECOMMENDATION**

Grant Subject to Conditions

#### **Condition(s)**

1. 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).

2. Development shall only be carried out in accordance with

Drawing numbers: 01 Location and Block Plan, 02, 03, 04, 05 Rev A, 06 Rev A, 07 Rev A, 08 Rev A, 09 Rev A, 10 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).

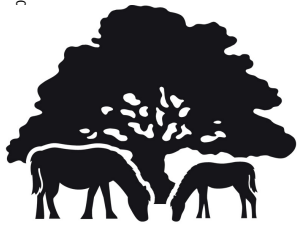
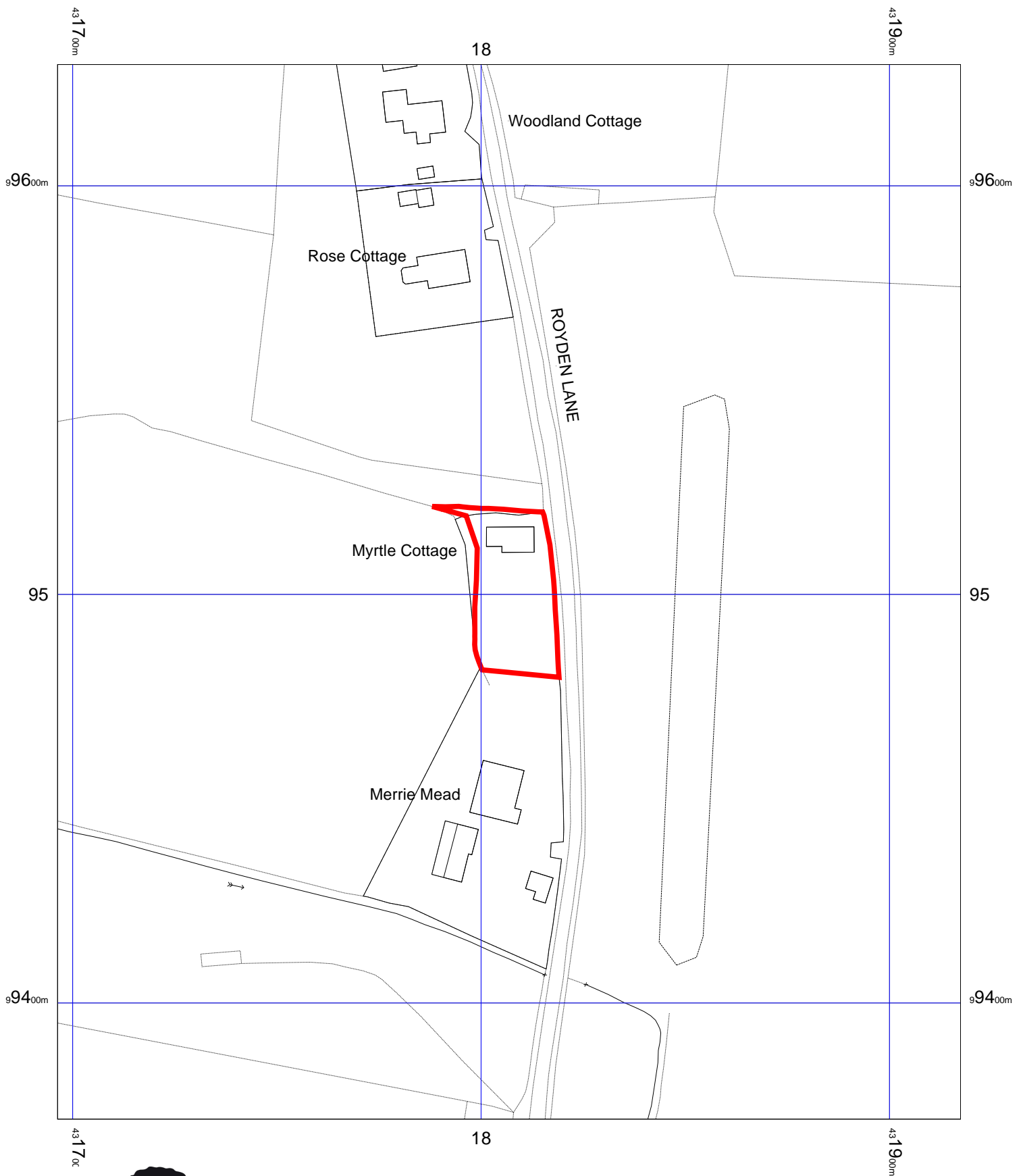
4. Within 3 months of the date of this decision, a scheme of landscaping shall be submitted to the Local Planning Authority for approval in writing. The scheme shall include:

- (a) the existing trees and shrubs which have been agreed to be retained;
- (b) a specification for new planting (species, size, spacing and location);
- (c) areas for hard surfacing and the materials to be used;
- (d) details of any means of enclosure;
- (e) a method and programme for its implementation and the means to provide for its future maintenance.

All hard and soft landscape works shall be carried out in accordance with the approved details and shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, unless otherwise agreed in writing by the Local Planning Authority

Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size or species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the appearance and setting of the development is satisfactory and to comply with Policies DP2, SP16 and SP17 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).



NEW FOREST  
NATIONAL PARK

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Tel: 01590 646600 Fax: 01590 646666

Date: 18/08/2023

**Ref: 23/00815**

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