

Application No: 23/00795FULL Full Application

Site: Robertshaw House, Foldsgate Close, Lyndhurst, SO43 7BZ

Proposal: External alterations to include replacement windows, doors, handrails, soffits, fascia's and infills to stainless steel handrail, posts and glass infill panels to existing balconies; new door in lieu of window; replacement cladding to match existing; re-tiling of roof

Applicant: New Forest District Council

Case Officer: Julie Blake

Parish: Lyndhurst Parish Council

1. REASON FOR COMMITTEE CONSIDERATION

Contrary Parish Council view

2. POLICIES

Principal Development Plan Policies

DP2 General development principles

DP18 Design principles

SP17 Local distinctiveness

Supplementary Planning Documents

Design Guide SPD

NPPF

Sec 12 - Achieving well-designed places

Sec 15 - Conserving and enhancing the natural environment

3. MEMBER COMMENTS

None received

4. PARISH COUNCIL COMMENTS

Lyndhurst Parish Council: Recommend refusal, the refurbishment of this development to maintain the facility within Lyndhurst is welcomed. However, it is felt that the extensive use of UVPC frames, cladding and fascias etc. is contrary to the emphasis on sustainable natural materials recommended in the NFNPA design guide. It is considered rather than simply repeating the original design, that use of natural sustainable materials would reduce the carbon footprint of the proposed

development. The Parish Council also believe that the local authority should be setting an example of sustainable development within the National Park.

5. CONSULTTEES

Ecologist: Support subject to conditions

6. REPRESENTATIONS

None received.

7. RELEVANT HISTORY

None.

8. ASSESSMENT

Application Site

8.1 Robertshaw House is a two-storey block of 26 flats managed by New Forest District Council for social housing. The flats are situated in a cul-de-sac accessed via Broughton Road. They are located within an area of amenity grassland, surrounded by mature trees to the north and a mix of private residential properties to the south and west. The block is adjacent to the main A337 with a golf course, allotments and open forest to the east. The property lies within the defined New Forest village of Lyndhurst and is currently undergoing renovations.

Proposed Development

8.2 The application seeks planning permission for range of external alterations as detailed in the description of the proposed development. These include replacing existing windows, doors, cladding and the roof tiles, all of which are coming to the end of their functional life.

Consideration

8.3 The key issues for consideration are whether the external alterations and the new uPVC cladding would be appropriate to the property, the impact of the proposal on the character and appearance of the surrounding area and any other impacts on neighbouring amenity.

The proposed works are designed to prevent further deterioration of the property and to ensure the building is watertight and well insulated so that it can continue to provide much needed social housing accommodation. It should be noted that repairs, maintenance and minor improvements (especially on a like for like basis) do not normally require planning permission. However, as these have been included in the proposed development they fall to be considered under the application.

As a result of the Parish Council's recommendation for refusal and concerns about the extensive use of uVPC, the applicant was invited to

consider an alternative palette of materials, with a suggestion that timber casement windows, sanded concrete roof tiles and white cedar cladding might be more suitable. Although the applicant did initially agree to these changes, they were found to be too expensive and would render the proposed refurbishment unviable.

8.4 Following further negotiations, it has now been agreed that the main communal entrance and exit doors, the louvered doors serving the boiler house, secondary communal entrance and exit doors and the newly installed door to serve Laundry Room would be finished in white powder coated aluminium and the remaining windows would be replaced with modern (like for like) uPVC. Cedar cladding, whilst not usually recommended within the National Park, would give the building a more appropriate finish than replacement uPVC. This type of cladding is a suitable alternative and would offer the same durability as uPVC. The visual impact of this type of cladding would be reduced with the use of a textured, non-shiny version. Because the cladding would only be used where there is currently uPVC, these repairs would not alter the appearance of the property, would not appear overly suburban and would cause no more visual harm to the wider area than is already present.

8.5 It is also relevant to consider that replacement uPVC windows would not require planning permission in this instance, notwithstanding that they are included in this application.

8.6 Finally, interlocking slate tiles have agreed for the roof and taken as a whole, the proposed refurbishment works offer an improvement over the existing external materials and finishes and for this reason the proposal would comply with Policies DP2, DP18 and SP17.

8.7 Some internal refurbishment works have already commenced (which do not require planning permission) and these works have identified the presence of bats. As a result, the applicant has sought advice from an experienced and competent ecologist and a Preliminary Roost Appraisal (PRA) was carried out in October 2023 by a licensed bat ecologist from Natural England. The ecologist issued advice on a suitable mitigation strategy to allow the work to continue under Natural England's Licencing Policy. This allows alternative sources of evidence to reduce standard survey requirements in exceptional circumstances and it can be applied where the ecological impacts of development can be predicted with certainty and where evidence of bat activity has already been established.

8.8 The guidance would normally at this stage be to undertake further bat surveys however as the works found the bat mid-way through emergency works (asbestos removal and fire ceiling installation), there is now an identifiable need for Natural England's Licensing Policy (Policy 4) to be utilised to ensure the protection of the 26 residents within the property. This means that the licence can be approved after planning permission has been granted.

8.9 In summary, the bat roost has been assessed through the PRA as a likely day roost as there is no evidence of bat droppings. The Authority's

Ecologist has commented that the Authority had not previously considered the building to pose a high risk of presence of protected species due to its age and construction materials. The ecology report that accompanies the application outlines the compensation which comprises a total of 12 bat access points and therefore extensive provision for bats within the roof void. Mitigation will also be provided in the form of roost features erected on trees. This is likely to fully compensate for the potential loss of only moderate potential in the existing structures and allows a range of use. It is likely that the conservation status of the population of the bat species concerned can be maintained at a favourable level and that accordance with policy has been demonstrated and that the overall approach can be supported given the circumstances of this case.

Conclusion

- 9.1 The repairs to the building would prevent further deterioration of the property and ensure that the building is brought up to modern standards. The concerns of the Parish Council are noted and understood and it is felt a suitable compromise has been reached on the choice of materials to be used in the refurbishment.

9. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

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

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

2. The 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).

3. Development shall only be carried out in accordance with drawing nos: 01, 02, 03, 04 Rev D, 05, 06 Rev D, 07, 08 Rev E . 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).

4. Prior to any works commencing, Temporary roost provision in the form of one 'bark rot hole bat box', one 'bark large bat box' and one 'bark hibernation bat box' will be erected on erected and retained in perpetuity on the mature trees along the northern boundary within the applicant's ownership at a minimum height of 3.5m from ground level. Works must take place between the 1st October and 30th April period to avoid the maternity season. Additionally, the roosts must be reinstated by the 1st May the following season to ensure that roosting provisions for the maternity roost are on site at all times.

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).

5. Works must be in accordance with the ecology report's specifications and method statement unless otherwise agreed in writing and be maintained thereafter. The Authority requires the result of monitoring to be copied to the Authority as well as being provided to Natural England, a post completion sign off by an ecologist and written confirmation to the 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).

6. Destructive roofing works and other feature removal must not take place during adverse weather conditions (during rain or strong winds) due to an increased likelihood of harm to bats in the event bats become disturbed and fly away.

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).

7. Prior to works commencing, the licensed bat worker will give a toolbox talk to the contractors on the site regarding the legal protection afforded to bats, bat biology, the contractors' responsibilities and any conditions set out within this report. The contractors will be continually aware of bats and the potential for them to be present during the works and a copy of the approved EPS licence will always be retained on site for contractors to refer to.

A licensed bat worker will attend the site on the day of all roof/tile removal and destructive works. An internal loft inspection will take place prior to works commencing by the licensed bat worker; if a bat is present, the bat will be relocated to the bat box out of the way of works following a health examination.

The bat licensed ecologist will then supervise the 'soft' dismantling of the roof tiles, hanging tiles, wall tops, felt/battens and eaves. Soft dismantling will be undertaken by hand and hand tools only, each tile/feature will be removed gently pulled away from the roof to avoid crushing. Other features will be removed carefully and inspected for the presence of bats and/or bat evidence. Should any bats be present only the licensed bat worker will remove the bat to the bat box following an examination of the bat.

Once the features suitable to support roosting bats have been dismantled then works can continue unsupervised. Should a bat be discovered at any other time then works will cease and the licensed bat ecologist contacted for advice. All contractors are strictly forbidden from handling bats.

Injured or underweight bats will be taken immediately into care (as directed by the Batworker's Manual, s. 7. 3, pp 64 – 66; 3rd ed. 2004 and with reference to the Bat Conservation Trusts Bat Care Guidelines a Guide to bat care for rehabilitators 2nd ed 2016).

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. During the construction phase a total of 12 'bat access tile access points' will be created. These tiles will allow bats to access into the loft space via a cut in the felt behind which must measure at least 10cm by 2cm.

For myotis bats, at least four 'Truss Bat Boxes' will be installed within separate roof spaces and fixed in between rafters within the roof space.

The new roof must be lined exclusively with bituminous 1F type roofing felt only; Other types of membrane are not permitted for use under a bat licence from Natural England.

15 'Bat Cladding Access Points' will be created in the new cladding. If membrane is to be used behind the new cladding, this must comprise only of bitumen 1F type felt due to the risk of entrapment. Each access point will measure 20mm x 100mm and allow pipistrelle bats to access the cavity between the cladding and the external wall.

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Reason: To safeguard protected species in accordance with Policies DP2 and SP6 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

10. Two years post-monitoring will be undertaken, in year 1 and in year 3+ following the completion of the roost compensation. The post-monitoring visit will include a loft inspection and inspection of the replacement bat features/bat boxes followed by a dusk emergence survey; the results will be used to inform Natural England on the success of the bat mitigation.

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).

11. During the construction phase no external light fixtures will be installed. If external lighting is required, this will be limited and only installed where required for safety purposes. No external luminaires will be installed where these will cast light spill onto surrounding vegetation such as mature trees.

All luminaires will lack UV elements when manufactured. Metal halide, compact fluorescent sources will not be used.

LED luminaires only will be used due to their sharp cut-off, lower intensity, good colour rendition and dimming capability. A warm white light source (2700Kelvin or lower) will be adopted to reduce blue light component.

Light sources will feature peak wavelengths higher than 550nm to avoid the component of light most disturbing to bats. Internal luminaires will be recessed only where installed in proximity to windows to reduce glare and light spill. Column heights must be carefully considered to minimise light spill and glare visibility..

Only luminaires with a negligible or zero Upward Light Ratio, and with good optical control, will be used.

Luminaires must always be mounted horizontally, with no light output above 90° and/or no upward tilt.

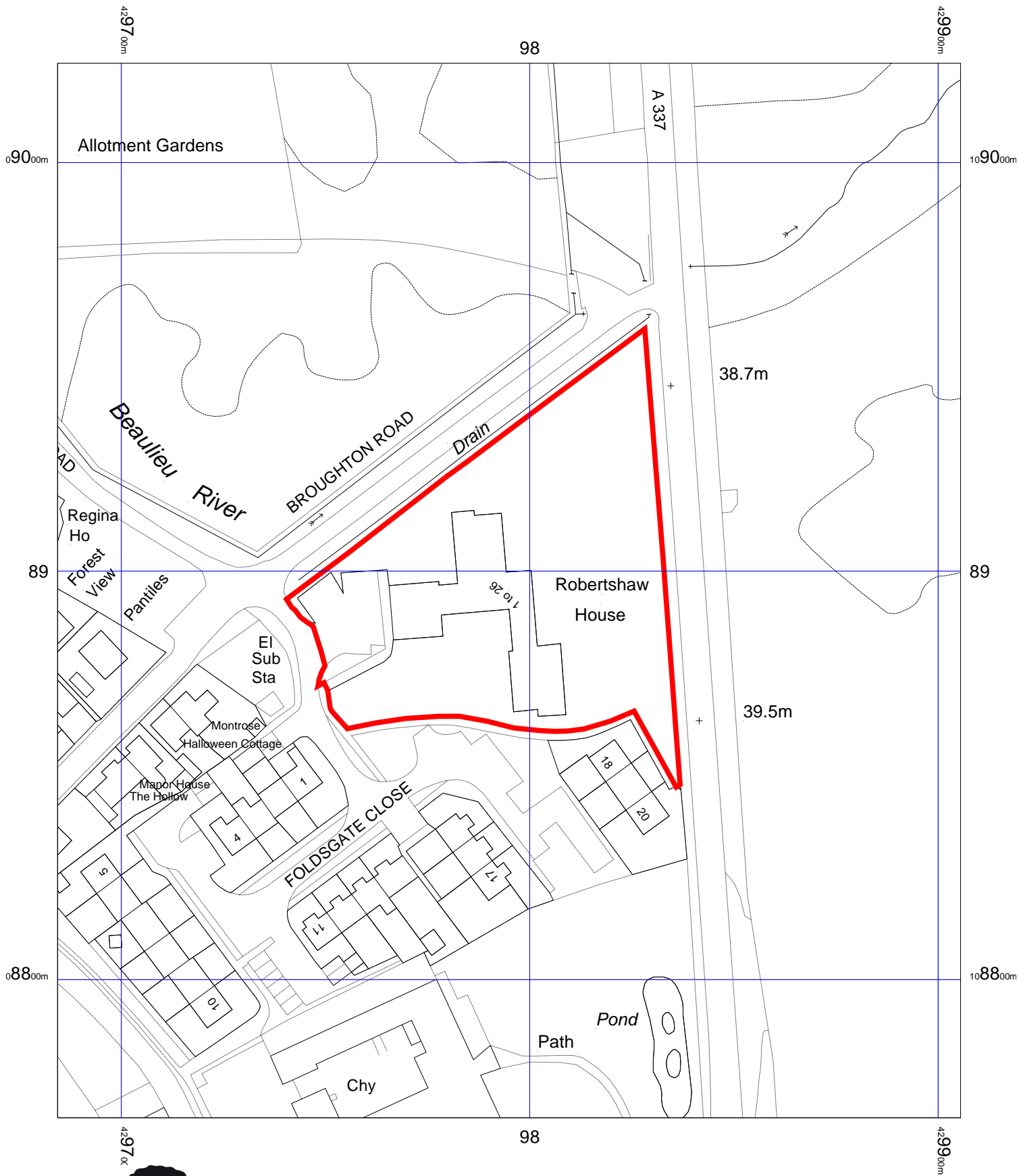
External security lighting will be set on motion sensors and set to a 1 minute timer.

Bollard or low-level downward-directional luminaires will not be installed due to unacceptable glare, poor illumination efficiency, unacceptable upward light output, and increased upward light scatter from surfaces. Only if all other options have been explored, accessories such as baffles, hoods or louvres can be used to reduce light spill and direct it only to where it is appropriate.

Reason: To safeguard protected species in accordance with Policies DP2, SP6 and SP15 of the adopted New Forest National Park Local Plan 2016 – 2036 (August 2019).

12. The EPSM licence must be approved by Natural England before any works start on site which would otherwise constitute an offence. A post completion sign off by an ecologist and written confirmation to the Authority would be required.

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).



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