

Application No: 24/00119CAC Full Application

Site: River House, Dock Lane, Beaulieu, Brockenhurst SO42 7YJ

Proposal: Replacement dwelling (demolition of existing); Staff accommodation (demolition of existing); Outbuildings; gates & fencing; garden wall with attached glass house (AMENDED PLANS)

Applicant: Mr & Mrs Busby

Case Officer: Liz Marsden

Parish: Beaulieu Parish Council

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view.

2. POLICIES

Development Plan Designations

Conservation Area
Flood Zone

Principal Development Plan Policies

SP15 Tranquillity
SP17 Local distinctiveness
DP2 General development principles
DP18 Design principles
DP36 Extensions to dwellings
DP37 Outbuildings
SP16 The historic and built environment
DP35 Replacement dwellings
DP12 Flood risk

Supplementary Planning Documents

Design Guide SPD

NPPF

Sec 12 - Achieving well-designed and beautiful 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

Beaulieu Parish Council: Recommend refusal for the following reasons:

Policy DP35

- The dwelling does not conform with Policy DP35 for replacement dwellings. It has already been extended beyond 30% and therefore the replacement should be no larger. Even if there had been an unenclosed walkway between the dwelling and the staff accommodation, which is no longer there, it is not agreed that this would enable the two separate properties to be considered as one. Should this be agreed, it would set a dangerous precedent in the National Park.

Policy SP7 Landscape

- Policy SP7 relates to the weight to be given to conserving the landscape and scenic beauty of the National Park. It is considered that the positioning of a dominant two-storey dwelling towards the edge of the river and the loss of tree screening will materially detract from rather than conserve and enhance the character of this reach of the Beaulieu River.
- The property is in the conservation area and adjacent to highly protected and ecologically sensitive areas. There are major concerns that a more dominant two-storey dwelling in place of the existing bungalow would not be appropriate for this low lying stretch of the river.
- As the building is in the flood zone, it would need to be raised by a metre and the new building would be over four metres higher than the existing and dramatically change the landscape of the Beaulieu River and conservation area
- In 2020, a number of Beaulieu residents produced a document "Protecting the landscape character of the Beaulieu River", which was agreed across a wide spectrum of the local community, including the local residents' association, the Beaulieu Parish Council and the Beaulieu Estate. This reflects the local sentiment on the criteria for residential development of riverside side and references other properties. The report concludes that along this stretch "all the houses are now substantially screened by trees which softens their impact on views from, and across, the river." The applicant proposes to remove a section of the trees providing this screening.
- River House is a large plot and the applicants have a real choice where the house could be sited. Rather than siting it forward of the existing property it could be set further back on the site and enable

the existing trees to be kept. It is considered that it would be difficult to get new trees to establish in this environment.

- For the above reasons, the Parish Council considers that the application does not comply with Policy SP7 as it detracts from the character of this reach of the Beaulieu River and fails to ensure the security of the Beaulieu Conservation Area and its associated environmental protections.

Light Pollution

- Policy DP2 – General development principles requires all new development to promote the principles of sustainable development, demonstrating high quality design and construction which enhances local character and distinctiveness. This includes that the development would not result in the unacceptable adverse impact of associated light pollution. This is of a major concern in this highly protected location and it is considered that, with the dwelling set forward on the site, the increased massing of the proposed fenestration on both floors facing the river will result in unacceptable impact from light pollution. The applicant has offered to use solar control glass in some of the windows but the issue would be best solved by moving the dwelling back and allowing the retention of the existing trees to provide screening.

5. CONSULTEES

Building Design and Conservation Officer: Support subject to conditions. The existing bungalow is of no historic or architectural merit and does not positively contribute to the character of appearance of the conservation area. The proposed materials would be of high quality and appropriate to the area and the considered architectural design has taken advantage of the riverside views and would be more fitting for this sensitive riverside location than the current dwelling. Overall, the proposed dwelling and outbuildings are considered to be acceptable in this location.

Landscape Officer: Support subject to conditions. The location of the proposed dwelling provides a rich landscape setting at a scale that can accommodate the proposed enlargement of the replacement dwelling.

Tree Officer: No objections subject to conditions. The proposed tree removal will have limited impact on public visual amenity and losses can be mitigate with proposed new planting.

Ecologist: Support subject to conditions. Protected species presence has been appropriately assessed and there are no losses to designated sites and other pathways of impact, such as pollution can be addressed through controls. The overall level of biodiversity enhancement and woodland management is welcomed.

NatureSpace UK: Sufficient information has been provided to demonstrate that the site is unlikely to support great crested newts. The

development should be carried out in accordance with the measures set out in the ecological report.

Environment Agency: No objection subject to condition.

Hampshire County Council Lead Local Flood Authority: The scale of the development is comparable to the existing property and runoff rates will be similar and there is no further comment on surface water drainage.

6. REPRESENTATIONS

Five letters from three representees, objecting on the following grounds :

- Contrary to Policy DP35 as the floorspace of outbuildings should not be included.
- Do not see how the staff accommodation could be viewed as an extension to the house.
- Would set a precedent undermining the floorspace policy.
- Will have an adverse impact on the visual serenity of the river.
- Two-storey design, although more compact in footprint would be much more intrusive.

Two letters commenting on the proposal:

- No objection to the architectural style of the house but concerns over the location further forward on the site than the existing which with the increased height would make it more prominent in this sensitive landscape.
- Existing trees should be retained as acclimatised to saline environment and new trees would not become established.
- Adversely affect the conservation area and unique characteristics of the Beaulieu River.
- Querying why a departure from the policy would be permissible.
- Should be possible to reposition the building further back on the site and permit the retention and enhancement of the trees.

19 letters of support from 16 representees on the grounds of:

- Design of the house is an improvement on the existing.
- Proposal in keeping with the sensitive nature of the area.
- Will not be imposing due to the reduced footprint of the proposed building.
- Increase in height necessary to address the flood risks in the area.
- The existing property is tired and inefficiently built and the modern construction will have environmental benefits and the proposed more appropriate materials will reduce the impact in comparison to the existing.
- Proposed landscaping will minimise the impact of the proposed change in levels and enable it to blend into the landscape and trees to the rear.
- In line with other development in this area in recent years.

- In accordance with policy requiring development to protect, maintain and enhance the character of the New Forest.
- Removal of the existing 60's and 70's buildings will be of significant benefit.
- Will not affect the amenity of neighbouring properties.

7. RELEVANT HISTORY

Reconstruction of swimming pool enclosure; Pitched roof to annexe (Application to extend time limit to implement planning permission reference 10/95337) (13/98329) granted on 21 June 2013

Reconstruction of swimming pool enclosure; Pitched roof to annexe (Application to extend time limit to implement planning permission ref 84534) (10/95337) granted on 29 July 2010

Reconstruction of swimming pool enclosure; pitched roof to annexe (05/84534) granted on 13 June 2005

Replacement swimming pool with conservatory over (NFDC/94/55187) granted on 24 October 1994

Addition of corridor, extension to hall and construct pitched roof. (NFDC/88/38924) granted on 26 August 1988

Conversion of garage to playroom. (NFDC/85/28360) granted on 05 February 1985

Alterations and extension to kitchen and covered way (NFDC/79/12653) granted on 19 March 1979

8. ASSESSMENT

Application Site

- 8.1 The River House is a sprawling single storey dwelling set in a large plot adjacent to Beaulieu River, within the designated conservation area. There is an existing two-storey flat-roofed outbuilding to the north of the dwelling, which provides two units of staff accommodation. The northern part of the site is well wooded, but it is more open to the south, affording views across the river.

Proposed Development

- 8.2 The application seeks consent for the replacement of the main dwelling with a predominantly two-storey house, though there are single storey sections. A large basement is also proposed. The dwelling would be set around the existing pond, which would become more of a feature, together with new landscaping incorporating a walled garden to the northeast. The originally submitted proposals showed the staff accommodation to be relocated into a

new single-storey building, set in the wooded area further north within the site where it would be adjacent to other buildings in the grounds of the adjacent property (The Tukul). A new garage block would be erected in approximately the same location as the existing staff accommodation and two further outbuildings are proposed, one adjacent to the walled garden and the other set towards the northern boundary of the site.

- 8.3 The plans have been amended during the course of the application process, removing the element of staff accommodation entirely and altering the position of the house on the site, so that it is set slightly further back from the river.

The key considerations are:

- The implications for Policies DP35 and DP36 in terms of floor space;
- Whether the proposed outbuildings accord with Policy DP37;
- The design of the proposals and whether they are appropriate to the property and its curtilage;
- Any impact on the character and appearance of the conservation area and in public views, particularly from the river;
- Any impact on neighbour amenity;
- Any impact on ecology; and
- The impact on trees.

Consideration

Principle of Development

- 8.4 The existing property has been extended previously in a piecemeal fashion and therefore further extensions to the habitable floorspace would not be acceptable under Policies DP35 (replacement dwellings) and DP36 (extensions to dwellings). In this case, the applicant has sought to incorporate the floorspace of part of the residential accommodation provided in the two staff units, into the main replacement house, thereby ensuring that the overall level of habitable floorspace on the site does not increase. There was some indication that an earlier application for the staff accommodation (originally a garage) was treated as an extension to the main house and linked by a covered walkway. If such a link ever existed, it does not now and as the Policy states that the floorspace of the existing dwelling does not include the floorspace within attached or detached outbuildings, the 'borrowing' of floorspace would not normally be permitted. The size of the proposed dwelling (473 sq.m, excluding the basement area) would be significantly larger than the existing property, which is 398 sq.m. The proposal would therefore be contrary to the adopted policies and, unless there are exceptional circumstances which would justify a departure from these policies, should not be permitted.
- 8.5 In this case, the applicants were originally proposing to replace the staff accommodation in a smaller block than currently exists, amongst trees to the northeast of the house. With the queries over the floor space, amended

plans were submitted to reduce the number of staff units from two to one, in a smaller building. This was subsequently revised again and it is no longer proposed to have any staff accommodation on the site. As a result, the overall habitable floor area on the site would be reduced to just that of the replacement dwelling, a decrease of nearly 100 sq. m in addition to the removal of two habitable units and associated reduction in the activity that would be generated by the occupants of those units. It is considered that, subject to the other elements of the proposal being acceptable, there would be environmental benefits to be derived from the proposal that would justify a departure from policy.

- 8.6 Concern has been raised about the possibility that, by allowing the habitable floor area to be increased beyond policy limits through incorporating accommodation in an outbuilding into the main house, this would set a precedent that could be repeated across the National Park, reducing the effectiveness of adopted policy. However, each application must be dealt with on its own merits and it is not considered that there would be many cases where it could be demonstrated that not only would the overall level of habitable floorspace be significantly decreased, but also that the applicant was willing to relinquish two ancillary residential units. In these circumstances, the granting of this application would not set an unacceptable precedent for future similar proposals.
- 8.7 As has been noted, the floorspace of the proposed dwelling does not include the area provided by the basement, which provides a plant room, gym and storage space. The floor area of the basement has been reduced during the consideration of the application and, although sizeable, it is proportionate to the house and other basements that have been allowed in the area and, given the likelihood of flooding, would not be used as habitable accommodation. It was originally planned to have a door to the plant room, accessed by an external staircase, but the applicant has confirmed that this will be removed and amended plans have been received to this effect. The basement is entirely subterranean, without natural light or ventilation and it is not considered that they would provide habitable accommodation for the purposes of Policy DP36.
- 8.8 Policy DP37 relates to outbuildings and seeks to ensure that they are appropriate in scale and subservient to the main dwelling, required for incidental purposes and would be located within the curtilage of the property without unacceptably reducing the amenity space around them. In this case, there are proposed to be three outbuildings and a glass house within the walled garden. The proposed garage would be located slightly to the north of the existing staff accommodation, which is a two-storey flat roofed building, with a similar footprint. The design and materials to be used would reflect those of the main house and are considered to be preferable in terms of their appearance to the existing structure. The garden building, located to the north of the walled garden, and machine store, set on the northern boundary, are both relatively modest structures designed to provide storage for equipment and machinery for the maintenance of the site. It is also proposed to erect a new deer fence and gates along the northern boundary

of the site, but these are set back from Dock Lane by nearly 30m, in a well wooded part of the site and would not therefore be intrusive. Given the substantial nature of the site, it is considered that the proposed outbuildings are appropriately proportionate and subservient to the property and would be in accordance with Policy DP37.

Design

- 8.9 In terms of the impact of the proposals on the site this is, as noted above, a sizeable area (1.79ha) and the house and outbuildings can be absorbed without resulting in its overdevelopment. The 'butterfly' design of the house, and the use of high-quality materials, including Beaulieu Buff bricks, natural slate and timber windows would result in an attractive property, more suitable to the sensitive riverside location than the existing dwelling. The overall bulk of the building has been reduced by being only partially two-storey, with the majority of the dwelling being at ground floor level. The layout and landscaping of the site would result in the outbuildings and circulation areas being largely screened from public views and the maintenance of the woodland, as set out in the Arboricultural Impact Appraisal and Method Statement, will ensure the retention of the significant wooded backdrop against which the property is viewed. It is considered therefore that the scale and design of the dwelling and associated outbuildings and landscaping would not have an adverse impact on the character and appearance of the site.

Impact on Surrounding Area

- 8.10 The site is located in the conservation area and, under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act special attention should be paid to the desirability of preserving or enhancing the character or appearance of that area and this is reflected in Policy SP16 of the Local Plan. It is also recognised that the surrounding landscape of the Beaulieu River is of exceptional beauty. The existing bungalow is of no historic interest or architectural merit and does not positively contribute to the architectural character or appearance of the conservation area, with its sprawling design and rendered walls serving to highlight the property in longer views.
- 8.11 The proposals have raised significant concerns from the Parish Council and local residents, due in large part to the increased height of the dwelling, its siting closer to the river and the loss of existing trees that provide some screening to the property at the present time. The land in the north of the site is heavily wooded and there are further mature trees along the eastern and western boundaries, which would screen views from those directions. The primary impact would therefore be on views from the river and the shared jetty to the east of the site, together with potential distant views from the footpath to the south of the river. The main public right of way is over 300m away and set amongst trees, though there is a riverside diversion which crosses more open land closer to the river from which the existing house is visible.

- 8.12 It is recognised that the proposed dwelling would be more apparent from these viewpoints, with the ridge height of the main two storey section being set at a height of around 4m above that of the existing property. However, the fact that something is more visible does not, in itself, result in it being harmful to the surrounding area. Where, as in this case, it is considered that the design and quality of the proposed building is preferable to the existing structure on the site and is appropriate in terms of scale to the site in which it is located, it can be argued that it could enhance the character and appearance of the conservation area, or at least a neutral impact. The proposal is supported by the Authority's Building Design and Conservation Officer. The Authority's Landscape Officer has also been consulted and considers that the rich landscape setting of the river and the tidal fringe is of a scale and sufficiently robust to absorb the larger replacement dwelling. It should be noted that, in all public views of the dwelling, it would be viewed against a backdrop of mature trees, that are significantly taller than the proposed dwelling, rather than being an intrusive feature in an entirely open setting.
- 8.13 The suggestion has been made that the dwelling should be set further back on the site, enabling the retention of the existing trees, in order to reduce its impact. The plans have been amended to move the house back slightly, but it would still be substantially forward of the existing building on the site, an integral part of the design to take advantage of the landscape features afforded by the pond. This would conflict with the position of the trees, which would therefore need to be removed. It is noted in a subsequent section of this report, that the trees in question have a limited life span due to their condition and it is therefore proposed to replace them with new trees set along the southern boundary of the site, where they will, in time, provide additional screening, in line with other properties along the river. There is no indication of the species of tree that will be used at this stage and there is some scepticism that anything would become established in this saline environment. A condition has therefore been included to require details of the proposed trees, which should be of a variety that is capable of surviving and thriving in this location.
- 8.14 A further concern is the impact on tranquillity and the dark skies of the area, through the number of windows on both levels of the property. It should be noted that the existing property has extensive areas of glazing that are, in the main, large doors and windows with few glazing bars. The proposed fenestration is more traditional in appearance with glazing bars that would serve to diffuse the light emissions and with wide eaves reducing any upward light pollution. The applicant has provided a comparative study of existing and proposed glazing areas, such that whilst the main southern façade, most visible from the river, would have a greater area, the level of glazing would be less, both in terms of actual area and as percentage of the overall façade. The same is applicable to the house as a whole. It is not therefore considered that the light emissions from the property would be so intrusive in the landscape as to justify a refusal on this basis. Similarly, the applicant has provided an external lighting strategy, which takes into

account the recommendations of the ecological survey in order to ensure that it would not adversely affect night-time ecology. The type and number of fixtures to be used are considered to be suitable to afford safe access to and around the building, whilst having little impact on dark skies or the surrounding area.

Impact on Neighbour Amenity

- 8.15 There are two properties in the immediate vicinity of the site, The Tukul to the west and Braces Quay to the east. Both are set in sizeable gardens with The Tukul around 70m from the boundary of River House and Braces Quay about 18m from the boundary and 60m from the proposed replacement dwelling. Both boundaries are defined by mature trees and, whilst there would be some potential for loss of privacy, due to the height of first floor windows and the first-floor terrace, given the distance between the properties and screening from trees it would not be possible to sustain an objection on this basis. These characteristics are also sufficient to ensure that there would be no undue or direct impact through loss of light or outlook to the neighbouring properties in accordance with Policy DP2.

Impact on Ecology

- 8.16 The application was supported by a comprehensive ecological survey which appropriately addresses the potential presence of protected species, such as bats together with further clarification in respect of great crested newts. The report also provides mitigation measures in respect of avoidance of harm to other species and advice with regard to appropriate external lighting and these can be secured by way of condition, including the provision of a Construction Environmental Management Plan (CEMP) to ensure that there is no adverse impact during the construction phase of the development.
- 8.17 Whilst the proposal is effectively a 'self-build' property, with the applicant having been involved in the design of the proposal, it is not exempt from the requirement to demonstrate at least 10% biodiversity net gain (BNG) due to the size of the site being in excess of 0.5ha. A BNG metric, using DEFRA's Statutory Biodiversity Metric to determine habitat units and determine net gain, has been included with the application. This confirms that the proposals, if correctly implemented, would achieve 13.33% net gain in habitat units and would therefore be in accordance with national policy and Policy SP6 of the New Forest Park Local Plan. This would be secured through appropriate planning conditions and a legal agreement to secure the required monitoring.

Impact on Trees

- 8.18 As noted previously in this statement, the proposal would result in the loss of some trees on the site, most significantly from a visual perspective those between the existing house and the river. None of these mature trees are of the highest quality and those on the edge of the pond have eroded tree

plates which would reduce their expected lifespan. The land levels around the Oak, have been raised in the past and the tree is suffering as a result, evidenced by the sparse crown. It has been confirmed by the Authority's Tree Officer that, with the mitigation proposed by the proposed new planting, the proposed tree removal would have limited impact on public visual amenity.

Flood Risk Considerations

- 8.19 The site is located within Flood Zones 2 and 3 where, following the sequential test, development at risk of flooding should only be approved if there are no reasonably available alternative sites at a lower risk and the proposed use is suitable in terms of its vulnerability. In this case, the proposal is for the replacement of an existing dwelling, which is vulnerable to flooding and, in the absence of any available alternative locations or increase in the scale of accommodation, the proposal would be exempt from the sequential test. However, the replacement dwelling should not be placed at an unacceptable level of flood risk, irrespective of the current situation resulting in the necessity to raise the buildings in order to ensure that the finished floor level (FFL) of all living spaces is above the 1:200-year tidal level plus the latest climate change allowances. The proposal incorporates FFLs of 4.4m above Ordnance Datum, that has been accepted as suitably precautionary by the Environment Agency.

Conclusion

- 8.20 The proposed replacement dwelling is located in an area of high ecological and landscape sensitivity and full consideration has been given to the balance between the retention of an appropriately flood resistant, residential property and its impact on the wider environment. Whilst the dwelling would be larger than the existing, the development as a whole would result in the overall decrease in habitable accommodation on the site and the removal of existing ancillary residential units would be of environmental benefit so as to justify a departure from Policies DP35 and DP36, in this case. It is considered that it has been demonstrated that the development can be accommodated without significant impact on the character and appearance of the site, the surrounding area, neighbour amenity or ecology and would therefore be in accordance with Policies DP2, DP12, DP18, SP6, SP7, SP15, SP16 and SP17 of the adopted Local Plan

9. RECOMMENDATION

Subject to the prior completion of a S106 legal agreement, to secure the BNG monitoring fee, the Executive Director of Strategy and Planning be authorised to grant planning permission 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 plans:

6391-ADAM-SW-00-DR-A-01 Rev. 02 - Location plan
6391-ADAM-SW-00-DR-A-03 Rev. 03 - Proposed block plan
6391-ADAM-MH-B1-DR-A-06 Rev. 04 - Proposed basement plan
6391-ADAM-MH-00-DR-A-07 Rev. 03 - Proposed ground floor plan
6391-ADAM-MH-01-DR-A-08 Rev. 02 - Proposed first floor plan
6391-ADAM-MH-02-DR-A-09 Rev. 02 - Proposed roof plan
6391-ADAM-MH-XX-DR-A-10 Rev. 02 - Proposed south elevation
6391-ADAM-MH-XX-DR-A-11 Rev. 03 - Proposed north elevation
6391-ADAM-MH-XX-DR-A-12 Rev. 02 - Proposed south west elevation
6391-ADAM-MH-XX-DR-A-13 Rev. 03 - Proposed north east elevation
6391-ADAM-MH-XX-DR-A-14 Rev. 02 - Proposed west elevation
6391-ADAM-MH-XX-DR-A-16 Rev. 03 - Proposed north elevation
6391-ADAM-MH-XX-DR-A-17 Rev. 02 - Proposed south elevation
6391-ADAM-MH-XX-DR-A-20 Rev. 03 - Proposed north west elevation
6391-ADAM-MH-XX-DR-A-21 Rev. 02 - Proposed south east elevation
6391-ADAM-MH-XX-DR-A-22 Rev. 02 - Proposed terrace section
6391-ADAM-GB-00-DR-A-01 Rev. 02 - Proposed garage floor plan
6391-ADAM-GB-00-DR-A-02 Rev. 02 - Proposed garage elevations
6391-ADAM-OB-XX-DR-A-01 Rev. 01 - Proposed outbuilding floor plan and elevations
6391-ADAM-MS-00-DR-A-01 Rev. 01 - Proposed machine store floor plan and elevations
GH1 - Proposed glasshouse elevations
496 PLG-001 Rev F Existing and proposed levels
496 PLG-006 rev E - Tree removal plan
496 PLG-007 rev C - Proposed site sections and elevations
496 PLG-008 rev D - Proposed planting strategy
496 PLG-009 Rev. D - Proposed site fencing and gate plan
496 PLG-011 Rev. A- Proposed kitchen garden external elevations
22141-3 Rev. A - Tree protection plan
Construction Traffic Management Plan - Stonewood Builders Ltd.

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 development shall take place above slab level until samples or exact details of the materials to be used for facing and roofing, garden walls, terracing and driveway 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).

4. 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) Design of balustrades

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).

5. No external lighting, other than that set out in the submitted External Lighting Strategy (Light House Designs) in accordance with the recommendations of the ecological survey and amended to remove reference to the staff accommodation, 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).

6. 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 report, revised 26/04/24 (Arbtech) 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).

7. No development shall take place until a construction environmental management plan, informed by ecological professionals, has been submitted to and approved in writing by the National Park Authority. The plan shall include:
- details of a compound to be provided for the storage of materials, machinery, waste materials and spoil
 - details of the disposal of any spoil from the site
 - measures that will be implemented to avoid or mitigate constructional impacts on the adjacent SSSI during the construction phase.

All materials, machinery, waste materials and spoil shall be stored within the approved compound.

Development shall take place in accordance with the approved plan.

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)

8. The Biodiversity Gain Plan, to be submitted and agreed in writing by the New Forest National Park Authority in accordance with paragraphs 13 and 14 of Part 2 of Schedule 7A of the Town and Country Planning Act 1990, shall be prepared broadly in accordance with the submitted BNG Metric and report dated 20/02/2024 prepared by Arbtect.

Reason: to ensure delivery of the requisite biodiversity net gain and to accord with Policy SP6 of the adopted New Forest National Park Local Plan 2016-2036 (August 2019).

9. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:

(a) a non-technical summary;

(b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;

(c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;

(d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years

from the completion of development; and

(e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority,

has been submitted to, and approved in writing by, the local planning authority.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

Reason: to ensure delivery of the requisite biodiversity net gain and to accord with Policy 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 shall be erected or carried out 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 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. The development shall be carried out in accordance with the submitted flood risk assessment (FRA - River House, Dock Lane: Ref. 76385.01.01R4 - GeoSmart Information Ltd, dated 23/01/2024) and the following mitigation measures it details:

- Ground floor finished floor levels for the main residence and annexe accommodation shall be set no lower than 4.40 metres above Ordnance Datum (AOD)

These mitigation measures shall be fully implemented prior to

occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

13. 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 tree protection plans (22141-3 rev. A and 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).

14. All hard and soft landscape works shall be carried out in accordance with the details set out in the Planting Plan Strategy and Principles (Balston Agius ref. 496 PLG 008 rev. D) and the site plan (496 PLG 005 rev. F). 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).

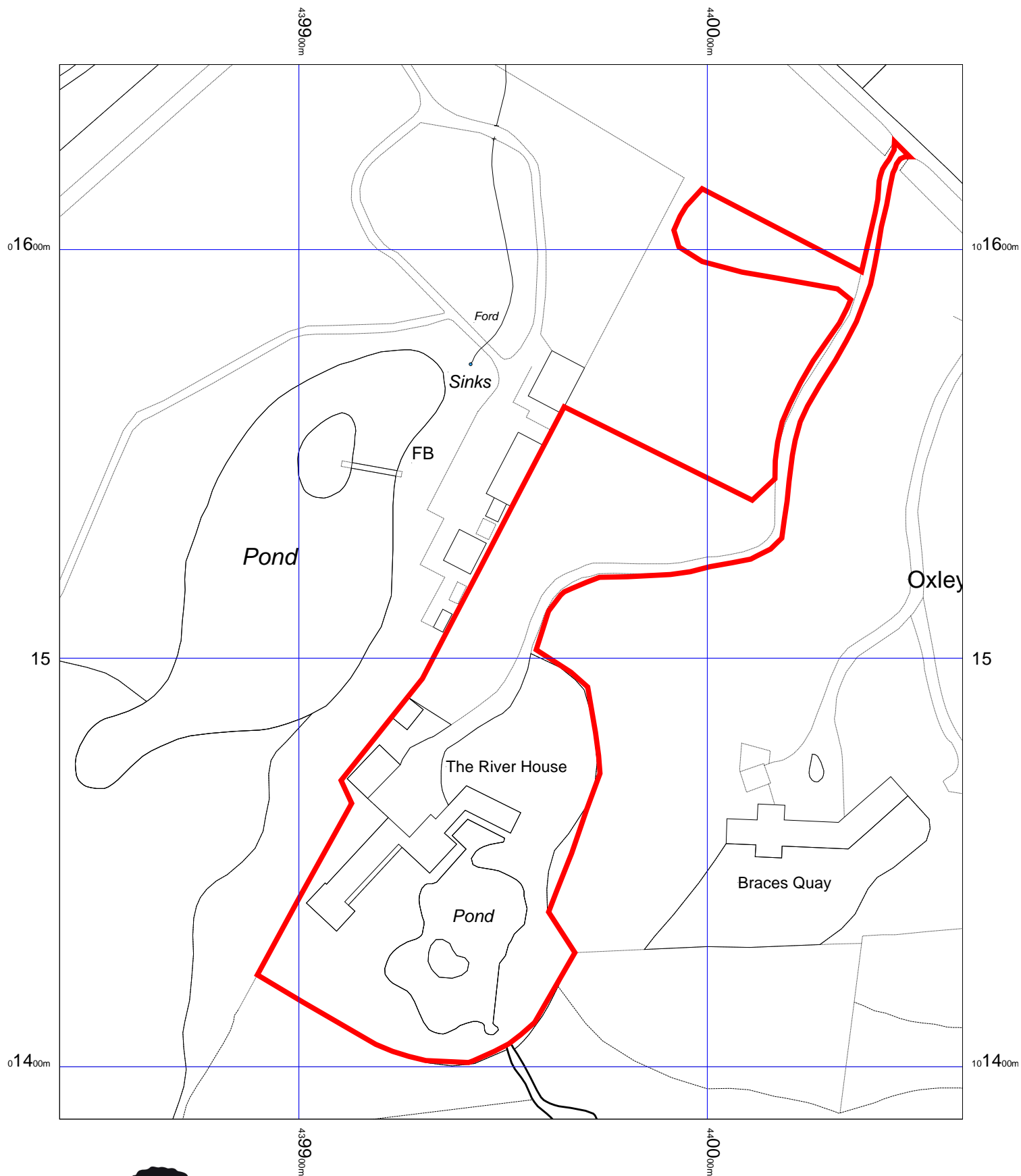
15. Prior to the implementation of the approved landscaping, details of the proposed new specimen trees to be planted along the riverside frontage of the site shall be submitted to and approved in writing by the National Park Authority.

Development shall take place in accordance with the approved details.

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).

16. The development shall be carried out in accordance with the measures set out in the submitted Construction Traffic Management Plan, hereby approved, unless otherwise agreed in writing with the New Forest National Park Authority

Reason: In the interests of amenity and ensuring that the proposed development minimises any adverse impact on users of the narrow access road



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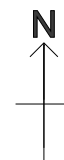
New Forest National Park Authority
Lymington Town Hall, Avenue Road,
Lymington, SO41 9ZG

Tel: 01590 646600 Fax: 01590 646666

Date: 06/12/2024

Ref: 24/00119CAC

Scale: 1:1250



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Application No: 24/00379FULL Full Application

Site: Lyndhurst Football Ground, Wellands Road, Lyndhurst

Proposal: Replacement Sports Building (demolition of existing buildings)
(AMENDED PLANS)

Applicant: Lyndhurst Parish Council

Case Officer: Liz Marsden

Parish: Lyndhurst Parish Council

1. REASON FOR COMMITTEE CONSIDERATION

Parish Council application

2. POLICIES

Development Plan Designations

Defined New Forest Village Lyndhurst

Principal Development Plan Policies

DP2 General development principles

DP10 Open space

DP18 Design principles

DP45 Extensions to non-residential buildings and uses

SP15 Tranquillity

SP16 The historic and built environment

SP17 Local distinctiveness

SP39 Local community facilities

NPPF

Sec 8 - Promoting healthy and safe communities

Sec 12 - Achieving well-designed and beautiful 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

Application submitted by Lyndhurst Parish Council

5. CONSULTEES

Conservation Officer: No objection.

No concern about the impact of the proposal in the setting of the conservation area or locally listed buildings. It is a larger building but has been designed to minimise the impact of the additional bulk in an appropriate way. If there is sufficient justification in their existing/ proposed use of the building, a building of this size and design could be satisfactorily accommodated in this location. The applicants will need to be aware that by reducing the roof pitch they are on the lowest end of acceptable pitch for slate roofs, so they will need to choose their proposed slate product carefully to be compatible with the design.

Ecologist: No objection subject to securing biodiversity net gain and appropriate mitigation and lighting conditions.

Environmental Protection (NFDC): Following the additional information about activities provided in the revised supporting statement, there are no outstanding concerns with regard to noise issues.

6. REPRESENTATIONS

10 letters from seven representees commenting on and objecting to the proposal on the following grounds:

- Buildings are excessive in size and much larger than the ones that they are to replace.
- The plans omitted a 3D drawing which would have enabled a better appreciation of the scale of the building.
- Unacceptable increase in the height and length of the building will result in the loss of views over the fields.
- The building is disproportionate to the use that it serves and will result in additional activities, such as parties and meetings and will result in noise and disturbance to neighbouring properties which are already affected by noise from the scout hut and existing football club.
- There are already unacceptable levels of noise from changing rooms and clubhouse on match days.
- Building located directly outside back gates of properties and will result in shading to gardens and loss of light.
- Building will have an adverse effect on the value of property.
- Security risk from the alley created between the rear of the building and neighbouring garden, which would result in anti-social behaviour and dumping of rubbish.

- Will increase the potential for fly tipping with an increase in activity and more people having access to the site.
- Will result in problems with vermin.
- Incorrect statements in the supporting information, the proposal will be conspicuous from the conservation area and will compete with existing venues for function hire.
- No requirement for any additional licensed venues in Lyndhurst.
- The supporting information states that there are no public footpaths, this is not correct as a number of properties have access onto the field which is an important and necessary route into the village via Wellands Road.
- Potential for light pollution.
- The proposals would result in a change of use on site with the presence of a Parish office and the additional facilities.
- Out of keeping with the National Park and will have an adverse impact on its landscape and special qualities.
- Toilet windows look out directly onto gardens.
- Adverse impact on wildlife such as the deer and bats that frequent the area.
- Preferable locations for the building, such as the south east of the site in Coles Mead where it would be equally accessible to junior and senior football clubs.
- Potential for extending the existing buildings to the east without the obstructive infill element.
- Lack of consultation.
- Reasons given for not using alternative locations, such a flood plain, do not make sense. The only river is a small rivulet and could find no evidence of previous flooding and this issue should be reassessed.

Nine letters of support on the following grounds:

- The renovation of the football club buildings long overdue and will be an asset to the club and the wider community.
- Will encourage more people to use the site for recreation.
- The Club plays a key role in the community and the proposals will enable it to grow and flourish.
- The existing buildings and facilities are terrible and completely inappropriate for modern day mixed sports.
- The condition of the existing buildings has led to a significant loss of players at both adult and junior levels.
- Well located on the site of existing buildings.
- Will fit in with surroundings and the materials to be used are appropriate.
- Lack of existing toilet facilities results in unsanitary practices.
- Accesses from properties onto the playing fields is technically a breach of landowner's rules and has only been allowed to continue as a courtesy.

7. RELEVANT HISTORY

Change of use of clubhouse to temporary classroom until September 2011 (Class D1) (10/95957) -temporary permission granted on 27 January 2011

Change of use from clubhouse to temporary classroom during term time. (Use as Class D1) (08/93225) – temporary permission granted on 13 October 2008

Suspension of 50 non-illuminated hoardings from existing perimeter barrier(04/83033) refused on 15 December 2004

Single-storey extension (03/78575) granted on 13 August 2003

Changing rooms, incorporating showers, toilet and tea room (80/15609) granted on 28 January 1980

8. ASSESSMENT

Application Site

- 8.1 The Football Club was established in 1885 with permission granted for the use of the current location in 1953. The main pitch is located to the north of Coles Mead recreation ground, just outside the boundaries of the defined village and conservation area, which run along the rear of the gardens of properties on Pemberton Road. There are two existing, somewhat dilapidated, timber buildings which serve the club and provide changing rooms and a clubhouse. Immediately to the south of these structures is the Scout Hall.

Proposed Development

- 8.2 The application seeks consent to improve the facilities at the football ground by replacing the two existing buildings with a single new building of a brick and slate construction. This would be larger than the combined area of the existing structures (117 sq.m) with a floor area of 264 sq.m and includes, as well as changing rooms, a larger club room with kitchen and servery. There would also be an office, storage areas and a publicly accessible toilet. The building is proposed to be 'L' shaped, with the longer western side measuring 23m and the shorter southern side being 17.5m long. The plans have been altered during the course of the application, with the ridge height being reduced from 5.1m to 4.6m, and fully hipped at its northern end. The building would also be set slightly into the ground (0.2m) and located a further 2m from the western boundary of the site with the Pemberton Road properties.

The key considerations are:

- Whether the proposal would accord with Local Plan Policies, in

- particular Policies SP39 and DP45;
- The design of the proposal and whether it is appropriate to the site and proposed usage;
- The potential impact on the character and appearance of the surrounding area and setting of the conservation area;
- The potential impact on the amenity of occupants of adjacent dwellings; and
- Ecological considerations.

Consideration

- 8.3 The proposed development is required in order to update the facilities of the football club, replacing the existing deteriorating changing rooms and club building to enable them to meet the higher standards required to remain in the league in which the team now play. As such it would be supported by Policy SP39, which supports the development of local community facilities and Policy DP10 which seeks to retain open space and sports facilities.
- 8.4 Policy DP45 permits the limited extension of existing non-residential buildings and uses where it is contained within the existing site boundary and would not materially increase the level of the impact of the activity on the site. In this case, the replacement building is to be located within the same area of the site as the current buildings and is within the site boundary. The proposed building is significantly larger than the existing structures combined, reflecting modern day requirements and in addition to improved facilities (changing rooms, toilets), the proposals would enhance the clubhouse facilities with a seating area and small kitchen/servery. The presence of an office in the building, together with reported comments at the first Parish Council meeting to discuss the proposal has led to some concern that the Parish Council would relocate its offices, but this has confirmed as being erroneous and that the primary use of the building would still be in association with the football activities at the site. A quick comparison of the proposed facility with those serving other defined villages, such as the clubhouse at Jubilee Field in Sway and Brockenhurst Football Club, shows that the level and type of accommodation is not by any means unusual and that the floor area of the current proposal is still less than the clubhouses elsewhere.
- 8.5 There is considerable concern that the proposals would result in a significant increase in the level of activity at the site and that the provision of a kitchen and seating area lend themselves to functions that would compete with existing venues and lead to noise and disturbance to local residents, above what is currently experienced on match days and from the neighbouring scout hut. The applicants have confirmed that the facilities will serve the existing activities of the football club, rather than result in an intensification of the use of the site and building. The small kitchen is domestic in scale and would be used for the preparation of sandwiches and snacks for players and viewers and as such there is no requirement for a commercial extraction system that would be likely to lead to issues of noise or fumes affecting nearby residents. It is also confirmed that this is not an

application to enable alcohol to be sold on the site. The introduction of a publicly accessible toilet would be of benefit in reducing the likelihood of unsanitary practices, referred to as currently taking place by objectors, and would be of general benefit to the users of and visitors to the site. In these circumstances, it is not considered that the proposal would result in an unacceptable increase in the level of activity on the site or its impact on neighbouring properties.

- 8.6 In terms of design, the building is of a simple 'L' shape that would settle into the corner of the site and relate well to the existing building to the south. The materials to be used (natural slate roof and dark stained timber clad walls on a brick plinth) are of good quality and appropriate to this location on the boundary between the settlement and the countryside. The openings in the building are primarily located so that they face east and north across the playing fields, with small, high-level windows providing light to the changing rooms and toilets on the south (facing the scout hut) and west (facing the boundaries of properties in Pemberton Road) elevations. Overall, the size and design of the building are considered to be appropriate to the use it is to serve.
- 8.7 The site is located adjacent to the conservation area boundary and, under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act special attention should be paid to the desirability of preserving or enhancing the character or appearance of the conservation area and this is reflected in Policy SP16 of the Local Plan. In this case, the site is located immediately adjacent to the conservation area boundary, which runs along the eastern boundaries of the rear gardens of properties in Pemberton Road. The Authority's Building Design and Conservation Officer has confirmed that, whilst the proposal is a large building, it has been appropriately designed to minimise its bulk and can be satisfactorily accommodated on the site without adverse impact on the conservation area or locally listed buildings in the vicinity in accordance with Policy SP16.
- 8.8 The primary concern is therefore the impact on the nearest residential properties, the occupants of which have raised a number of issues resulting from the height, length, use and close proximity of the building to their garden boundaries and these are addressed below:
- **Loss of light.** It is recognised that the proposed building, primarily the roof, would be visible from the adjacent properties to the west, despite amendments to reduce the overall ridge height and bulk by the introduction of a hipped end. However, given the distance away from the boundaries of these properties (a minimum of 5m at the northern end) and to the dwellings themselves (around 18m), there is no possibility of any significant shading or loss of light to the properties. A shading diagram has been provided, based on a time of year when the sun would be low in the sky and therefore a 'worst-case' scenario, which shows that the shadow from the proposed building, does not even extend to the garden boundaries. There is no justification for a refusal on this basis.

- **Loss of outlook.** The loss of outlook is a material planning consideration, but this is primarily where the development is either overbearing or so immediately intrusive in the outlook from the property that it has a significant and detrimental impact. However, the fact that a greater area of building may be visible and obstruct a view is not a planning reason for refusal. In this case, the building has been reduced in height and would be set a minimum of 5m from the garden boundaries which are defined by fences in the region of 1.8m high. The roof would be pitched to slope away from the western boundary, so that the highest part would be a minimum of 9.5m from the boundary. It is not therefore considered that loss of outlook in this case is unduly detrimental or that a reason for refusal could be sustained.
- **Noise and disturbance.** The potential for increased noise and disturbance could arise from the intensification of the activities on the site and increased use of the building. However, as set out previously in this statement, it has been confirmed that the facilities are required to serve the existing activities rather than the introduction of new uses and there should therefore be no added disturbance. Rather the more solid construction and insulation of the building would serve to reduce any noise emanating from it, particularly when compared to the existing structures. There are two small high-level windows in the western elevation of the building serving the toilets, but it is not considered that the limited noise from the flushing of toilets would be unduly audible from the properties on Pemberton Road. The Environmental Health team have been consulted and confirmed that, following the clarification provided by the revised design and access statement, there would be no objection on noise grounds.
- **Security.** There are concerns about the security risks created by the area between the rear of the clubhouse and the gardens of Pemberton Road, which would be screened from public views. An amended plan has been received which shows this area to be fenced off with a lockable gate which would restrict access to unauthorised persons and ensure that the proposal would not result in any increased security issues.
- **Access.** The statement in the supporting information to the effect that there are no public rights of way that would be affected is queried by residents, who have gates from their rear gardens, which are used to access the grounds of the football club. This access does not, however, confirm the creation of a formal right of way, rather, it is understood that it is an informal arrangement that has been allowed to continue. This is not a planning consideration, though, should the landowner (Forestry England) be willing to allow the arrangement to continue, it would be necessary to provide residents affected with a key.

- **Light pollution.** The larger glazed openings in the building and use of the building on occasional evenings would result in some additional light spillage to the front, across the playing fields, though this would be screened from properties to the rear by the building itself. It is not proposed to use the building late into the night and the impact of the internal lights will therefore be restricted. The provision of any external lighting can be controlled by condition.
- 8.9 The development is subject to the requirement of providing measures for ecological enhancement, resulting in at least 10% biodiversity net gain (BNG). A BNG metric, using Defra's Statutory Biodiversity Metric to determine habitat units and determine net gain, has been included with the application. This confirms that the proposals, if correctly implemented, would achieve 14.18% net gain in habitat units and would therefore be in accordance with National policy and Policy SP6 of the New Forest Park Local Plan. This would be secured through appropriate planning conditions and a legal agreement to secure the required monitoring.
- 8.10 An ecological survey of the existing building has been carried out to assess the potential for them to support bat roosts, which confirmed that there was no evidence of such roosts or a requirement for further surveys. The report also sets out mitigation and enhancement measures, which have been incorporated into the BNG report. It is recognised that there is bat activity in the area and therefore it is appropriate to ensure that any external lighting is appropriately designed and a condition to this effect has been included.
- 8.11 A further issue raised by objectors to the proposal is that there are alternative sites within the grounds that would be preferable to the current location. The most favoured one of these would be in the southeastern corner of the site or in the Coles Mead recreation area. However, there are a number of constraints in this area, including Environment Agency Flood Zones 2 and 3 across much of the land that is not covered by the playing field, and the proximity of mature trees. A building in this location would also be less well related to existing structures, appearing isolated and having an increased impact on the landscape of the National Park. The extent of the flood risk and the position of the main river has been queried by an objector, but this is taken from information provided by the Environment Agency based on the data held by them.

Conclusion

- 8.12 The proposed development is appropriate to its proposed function and would not result in an unacceptable increase in the level of activity on the site. It can be accommodated on the site without undue impact on the character and appearance of the surrounding area or setting of the conservation area, neighbour amenity or areas of ecological sensitivity and is therefore in accordance with Policies DP2, DP10, DP18, SP6, SP15, SP16, SP17, SP39 and DP45 of the Local Plan 2016-2036.

9. RECOMMENDATION

Subject to the prior completion of a S106 legal agreement, to secure the BNG monitoring fee, Executive Director of Strategy and Planning be authorised to grant planning permission 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 plans:

KA/2024/J14 - A104 Rev. B - Location plan
KA/2024/J14 - A105 Rev. C - Proposed block plan
KA/2024/J14 - A106 Rev. B - Proposed floor plan
KA/2024/J14 - A107 Rev. A - Proposed roof plan
KA/2024/J14 - A200 Rev. A - Proposed east and north elevations
KA/2024/J14 - A201 Rev. B - Proposed west and south elevations

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 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).

4. The Biodiversity Gain Plan, to be submitted and agreed in writing by the New Forest National Park Authority in accordance with paragraphs 13 and 14 of Part 2 of Schedule 7A of the Town and Country Planning Act 1990, shall be prepared broadly in accordance with the BNG Metric and draft BNG Plan, dated

01/08/2024, prepared by Kode Architecture.

Reason: to ensure delivery of the requisite biodiversity net gain and to accord with Policy SP6 of the adopted New Forest National Park Local Plan 2016-2036 (August 2019).

5. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:
 - (a) a non-technical summary;
 - (b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
 - (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
 - (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
 - (e) the monitoring methodology and frequency in respect of the created or enhanced habitat

has been submitted to, and approved in writing by, the local planning.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

Reason: to ensure delivery of the requisite biodiversity net gain and to accord with Policy SP6 of the adopted New Forest National Park Local Plan 2016-2036 (August 2019).

6. 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 report hereby approved (Ecological Consultancy Services Ltd dated August 2024). 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).

7. 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).

8. 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 Policy DP2 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

9. 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 building 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).

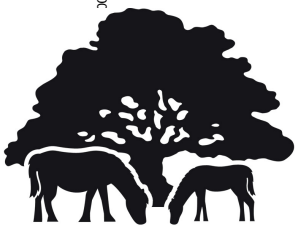
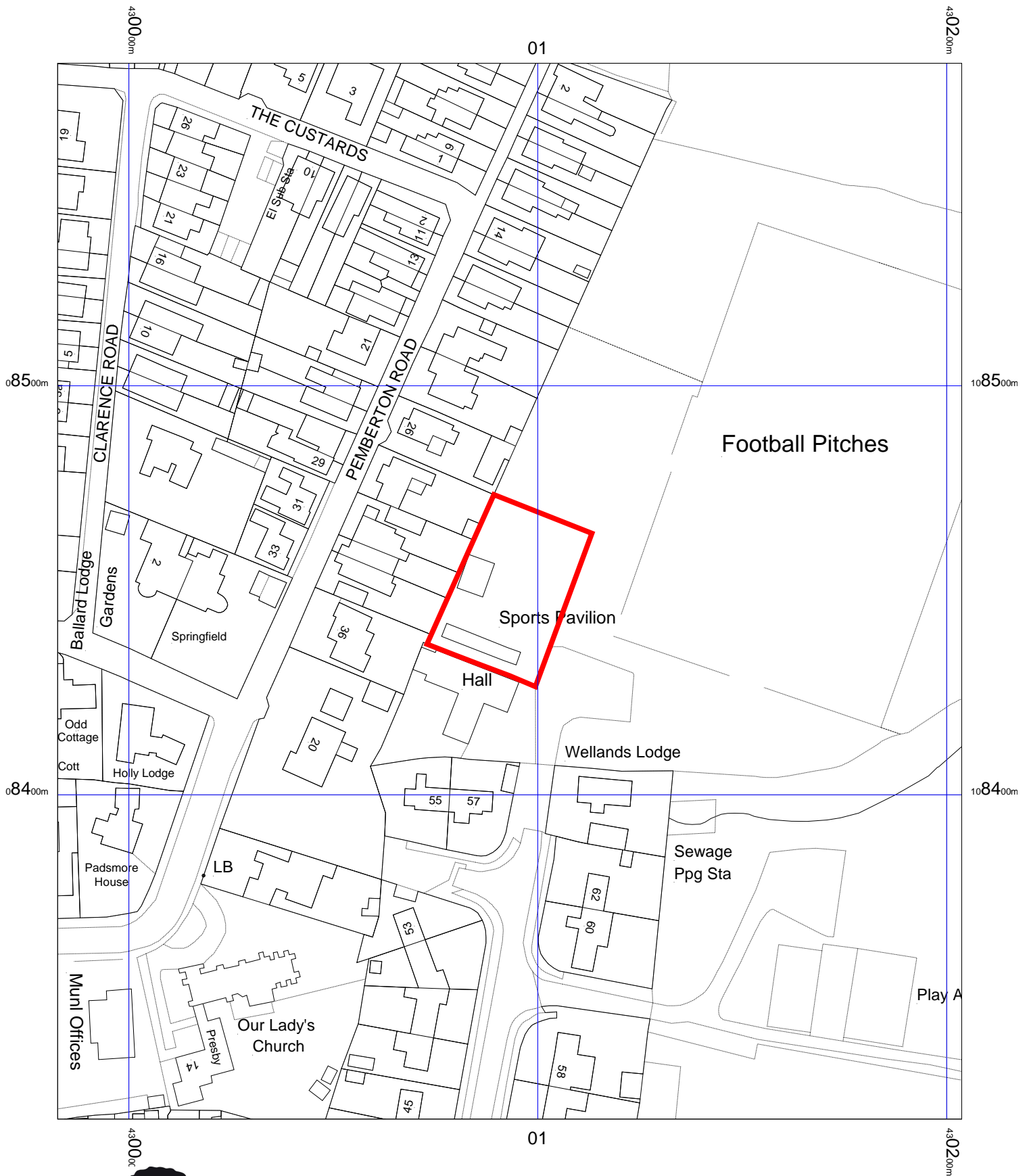
10. The proposed building shall be used only in connection with the activities of the football club and for the amenity of spectators and visitors to the sports ground and for no other purposes. It shall not be hired out as a venue for functions unrelated to the primary purpose of the club.

Reason: To ensure that there is no unacceptable intensification of the use of the site to protect the amenities of the surrounding residential properties in accordance with Policies DP2 and SP15 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

Informative(s):

1. It is recommended that hours of demolition, construction and related activities only take place between 08:00 – 18:00 Monday to Friday, 08:00 – 13:00 on Saturdays, and not at all on Sundays or Public Holidays.

Best practicable means should be implemented to control dust and noise during the demolition and construction phases.



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

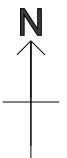
Tel: 01590 646600 Fax: 01590 646666

Date: 06/12/2024

Ref: 24/00379FULL

Scale: 1:1250

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Application No: 24/01125FULL Full Application

Site: Ashburn, 13 Forest Gardens, Lyndhurst SO43 7AF

Proposal: Outbuilding (demolition of existing)

Applicant: Martin & Jan Wheat

Case Officer: Joshua Dawes

Parish: Lyndhurst Parish Council

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. POLICIES

Development Plan Designations

Defined New Forest Village Lyndhurst
Conservation Area

Principal Development Plan Policies

DP2 General development principles
DP18 Design principles
DP37 Outbuildings
SP14 Renewable energy
SP15 Tranquillity
SP16 The historic and built environment
SP17 Local distinctiveness

Supplementary Planning Documents

Design Guide SPD

NPPF

Sec 12 - Achieving well-designed and beautiful 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

Lyndhurst Parish Council: Recommend permission for the reasons listed.

The proposed outbuilding will not have an adverse impact on the street scene or neighbouring properties.

5. CONSULTTEES

Building Design and Conservation Officer: Unable to support: The proposed development, due to its scale, appearance and form is considered to impact the setting of the non-designated heritage asset and the character and appearance of the conservation area causing less than substantial harm. The scheme is also considered not to meet the standards of high-quality design set by Policy DP2 of the Local Plan which requires development to be appropriate and sympathetic in terms of scale, appearance, form, siting and layout. The proposal could be amended to address these concerns and create a scheme acceptable in design terms.

6. REPRESENTATIONS

None received.

7. RELEVANT HISTORY

No relevant planning history.

8. ASSESSMENT

Application Site

8.1 Ashburn is a locally listed detached dwelling located within the defined New Forest village of Lyndhurst and Lyndhurst Conservation Area. The dwelling is a brick constructed dwelling and a single storey detached garage building lies to the side of the property with a hedgerow and large mature tree forward of the door.

Proposed Development

8.2 This application seeks permission for a replacement outbuilding to be used as a garage and workshop. The proposed outbuilding would be 12.1m in length, 5m in width and 6m in height as compared to the existing outbuilding of 8.25m in length, 4.1m in width and 3.6m in height. The proposed outbuilding would be constructed of brick with timber weatherboarding to the upper section and gables. The proposed would have a pitched, clay tiled roof with a number of rooflights and a triangular dormer on the north elevation. The southern plane of the proposed pitched roof would include 22 solar panels.

Consideration

8.3 The key considerations in this case are:

- Compliance with Policy DP37 (Outbuildings);

- The impact on the character and appearance of the locally listed building, its curtilage and the conservation area; and
- The impact on neighbouring amenity.

8.4 Policy DP37 permits domestic outbuildings where:

- a) they are proportionate and clearly subservient to the dwelling they are to serve in terms of their design, scale, size, height and massing;
- b) they are located within the residential curtilage of an existing dwelling;
- c) are required for purposes incidental to the use of the main dwelling;
- d) are not providing additional habitable accommodation; and
- e) will not reduce private amenity space- including parking provision- around the dwelling to an unacceptable level.

8.5 The proposed outbuilding would be located within the residential curtilage without reducing private amenity space to an unacceptable level and would be used for purposes incidental to the dwelling. However, although there is no objection in principle to the demolition of the existing outbuilding, the Authority's Building Design and Conservation Officer has raised concerns over the scale and design of the proposal. Incorporating the garage and workshop into one continuous building would create a significant structure of some height which is not considered subservient within the setting of the non-designated heritage asset. The proposed building would be partially visible from the street scene, with some boundary hedging and trees covering it from view. However, the proposed increase in height and clearance of some of the hedgerows is likely to reduce the effectiveness of this visual shielding.

8.6 In relation to the proposed design, as noted within the Design Guide, new garages can be extremely large and bulky therefore they should be subservient in design and appearance and built of traditional materials (paragraph 4.17) This is also reiterated in paragraph 7.6 of the Conservation Area Character Appraisal: "the requirement for new domestic outbuildings such as garages and sheds etc. can have a significant cumulative impact on an historic area. Such outbuildings can be of traditional design and materials and so make a positive contribution to the area."

8.7 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended requires that with respect to development affecting buildings or other land in a conservation area, 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.' The proposed external design would include a mix of brickwork with horizontal timber cladding to the upper section with a number of uPVC casement windows, a large dormer to the northern elevation, and an "up and over" metal garage door. The Authority's Building Design and Conservation Officer has commented that,

notwithstanding its scale, incorporating features that are not considered traditional, for example the large dormer window, up and over door, UPVC windows, and glazed French doors, create a design that is overly domestic in character. The resultant outbuilding therefore appears more akin to a new dwelling, which fails to respect the character and appearance of the conservation area. Overall, the proposed development, due to its scale, appearance and form is considered to cause less than substantial harm to the character and appearance of the conservation area and the setting of the non-designated heritage asset.

- 8.8 Paragraph 208 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. Paragraph 209 sets out that, 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. Policy SP16 supports proposals where they conserve and enhance the significance of designated or non-designated heritage assets. Whilst it is noted that the proposed development would be partially screened, it is assessed that the harm to the designated heritage asset is not outweighed by public benefits. Whilst the sustainability benefits from the proposed solar panels are noted, these are not considered to outweigh the harm.
- 8.9 In relation to impacts on neighbouring amenity, the proposed outbuilding would be visible from both neighbouring properties. The placement of the windows on the outbuilding would mean that there is not likely to be any impact on neighbours in relation to overlooking. The proposed outbuilding would be sited directly to the side of the southern neighbouring dwelling but is unlikely to cause an unacceptable level of visual intrusion or shading in accordance with Policy DP2.
- 8.10 It should be noted that attempts were made to secure reasonable amendments to the proposed development but these were not forthcoming.

Conclusion

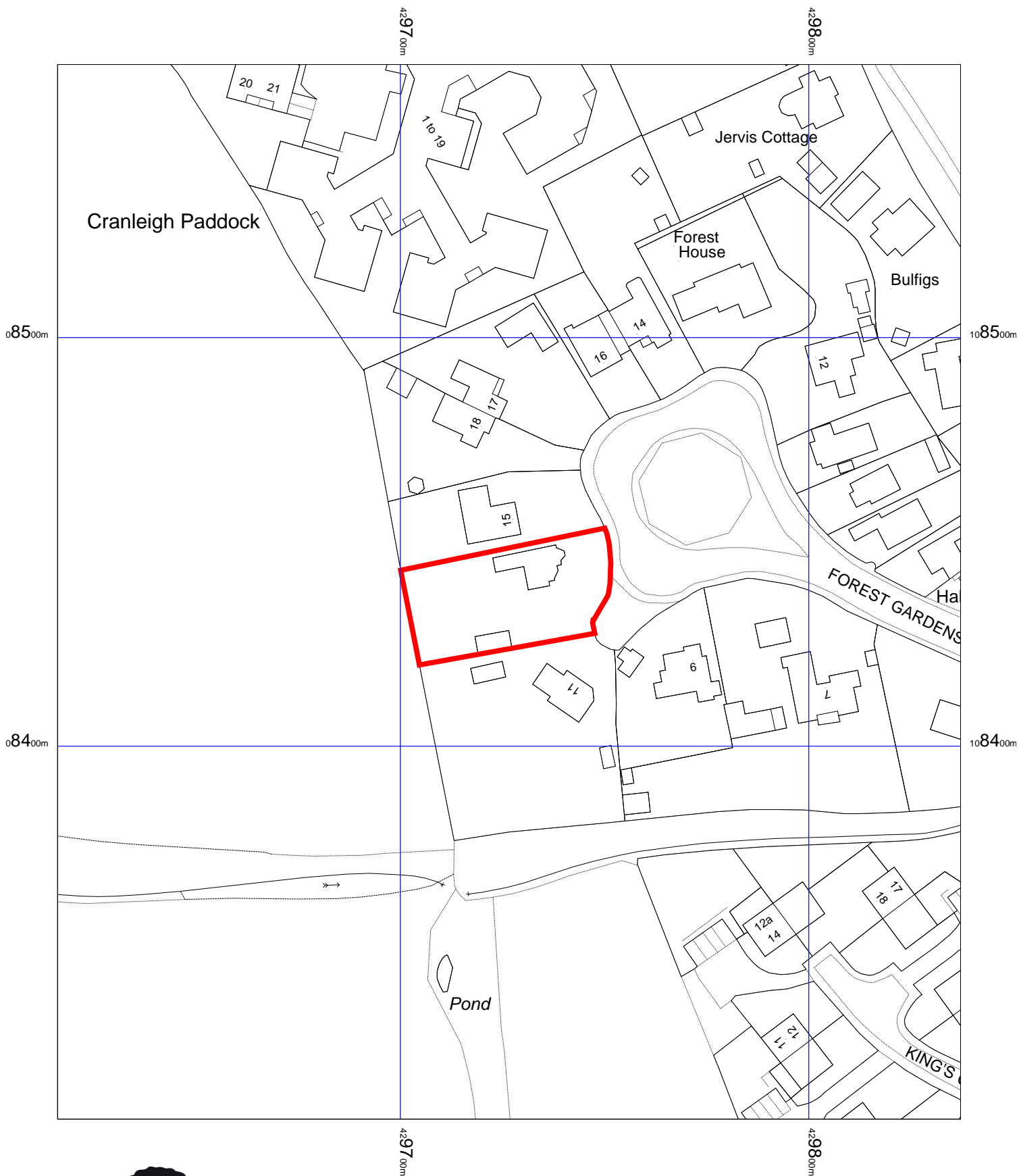
- 8.11 Whilst the proposal would meet criteria b), c), d) and e) of Policy DP37, the proposed scale and design are not considered to comply with Policy DP37 a) and would conflict with Policy SP16 and Section 15 of the NPPF. Refusal of the application is therefore recommended.

9. RECOMMENDATION

Refuse

Reason(s) for refusal:

1. The proposed replacement outbuilding by reason of its scale, and design would not be in keeping with or subservient to the main dwelling, a non-designated heritage asset. It would fail to be appropriate or sympathetic to its setting within the conservation area and would be contrary to the requirements of Policies DP2, DP18, DP37 and SP16 of the New Forest National Park Local Plan 2016-2036 (August 2019) and sections 12 and 16 of the National Planning Policy Framework and the Design Guide SPD.



NEW FOREST
NATIONAL PARK

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Date: 06/12/2024

Ref: 24/01125FULL

Scale: 1:1250



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