

Application No: 24/00649FULL Full Application

Site: Fortune Centre Of Riding Therapy, Lanfranco House, 28
Garden Road, Burley, Ringwood, BH24 4EA

Proposal: Change of use of existing buildings from a C2 residential
institution to a single C3 dwellinghouse with outbuilding

Applicant: The Fortune Centre of Riding Therapy

Case Officer: Julie Blake

Parish: BURLEY PARISH COUNCIL

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. POLICIES

Development Plan Designations

Conservation Area

Local Plan Policies

DP2 General development principles

DP18 Design principles

SP16 The historic and built environment

SP17 Local distinctiveness

SP39 Local community facilities

SP19 New residential development in the National Park

SP21 The size of new dwellings

NPPF

Sec 12 - Achieving well-designed and beautiful places

Sec 15 - Conserving and enhancing the natural environment

SP16 The historic and built environment

Supplementary guidance

Design Guide SPD

3. MEMBER COMMENTS

None received

4. PARISH COUNCIL COMMENTS

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

Not against the principle of the main house being reclassified as C3 and being returned to its original purpose as a residential dwelling. However, BPC is conscious that this planning application also seeks to turn a non-residential training lodge into an outbuilding which will then fall within the C3 residential status of the main building. This is clearly stated in The Applicant's Planning and Heritage Statement:

'This statement accompanies a planning application to change the use of an existing (C2) residential institution building and outbuilding back to use as a single dwellinghouse (C3). '

BPC wishes to remind the NFNPA of the specific condition which was applied by themselves when permission was granted in 2007 (Planning Application 07 /91971 refers) for the construction of the Independence Training Lodge. Condition 3 states:

'The building hereby permitted shall be used solely for the benefit of the applicant, the Fortune Centre of Riding Therapy. In the event that the applicant ceases to own or occupy the site, the building shall be removed and the site restored to a grassed lawn area.'

Such a suggestion that the Meredith Lodge element of this application was previously (C3) residential is factually incorrect, and BPC cannot support any application which seeks to undermine the original policy decision made by the NFNPA to restrict the use and existence of this part of the proposal that was solely granted whilst under the ownership and use of the current owner, the Fortune Centre of Riding Therapy.

BPC has concerns that if the NFNPA allows its own planning conditions to be ignored or overturned, then the NFNPA will lay itself open to any historic or future conditions placed against any application or approval ineffectual and unenforceable.

5. CONSULTEES

None

6. REPRESENTATIONS

Three letters of objections on the following grounds:

- Application 07/91971 had the specific condition that Meredith Lodge should be removed and returned to a paddock in the event that the applicant ceases to own or occupy the site and the building shall be removed and the site restored to a grassed lawn area. This must be adhered to.
- The Lodge had to be removed and the land returned to paddock. It would be preposterous to allow a permanent house in these grounds and would conflict with policy.

- If Meredith Lodge is allowed to remain it will open up many opportunities for other to erect two bedroomed residential units in fields within a conservation area.

One comment received:

- In practice the outbuilding (Meredith Lodge) is a 2 bedroom dwellinghouse. In 1998 there was a single C3 dwellinghouse, as Meredith Lodge did not exist; now there are two dwellinghouses. This was recognised by the planning permission for Meredith Lodge which was on the basis that it was only for occupation by FCRT, with a condition for it to be removed if FCRT ceased to occupy, which is now the background for this application. Would planning permission be granted today for a totally new 2 bedroom dwellinghouse?

7. RELEVANT HISTORY

Independence training lodge (07/91971) – Granted subject to conditions on 20/11/2007

Change of use to residential care home for ex-fortune centre students (98/63828) – Granted subject to conditions on 08/07/1998

Erection of a three-bay open garage (NFDC/90/44114) – Refused on 06/04/1990

Erection of 3 dwellings and garages (NFDC/88/37168) – Refused on 26/03/1988

8. ASSESSMENT

Application Site

- 8.1 Lanfranco House is a relatively secluded detached property currently used as a C2 residential institution by the Fortune Centre of Riding Therapy. It is located within a spacious plot outside of the defined village of Burley and is situated within the Burley conservation area. Meredith Lodge is a log cabin in close proximity, south of Lanfranco House, within the same plot. The properties are accessed via a private track from Garden Road.

Proposed Development

- 8.2 The application seeks planning permission for change of use of the existing buildings from a C2 residential institution use to use as a single C3 dwellinghouse (Lanfranco House) and associated incidental outbuilding (Meredith Lodge).

Consideration

- 8.3 By way of background pre application advice was sort by

the applicant prior to submission of the application. In its pre-application response the Authority indicated in principle support for the proposed change of use subject to the Lodge's use being restricted to use '*for incidental or ancillary purposes in connection with the C3 use of Lanfranco House*'.

- 8.4 Whilst Policy SP19 does not permit new dwellings outside the defined villages and Policy SP21 limits the size of new dwellings to a maximum of 100 sqm, it is relevant to have regard to the fact that Lanfranco House is a former detached residence (up until 1998) and retains all the characteristics of a residential property in terms of its design and appearance. This is a very material planning consideration and for these reasons, there is no policy objection to the existing property returning to its former residential use.
- 8.5 Policy SP39 seeks to retain local community facilities where they contribute to the sustainability of local communities. In this case, whilst the loss of a community facility within the village is regrettable, the Fortune Centre of Riding Therapy (FCRT) will continue to operate its other educational sites across the New Forest. In comparison with its other sites, FCRT say that the Burley property has been less successful in supporting independent living for its young residents. To continue their care and support to young residents across the New Forest area the FCRT say that it has become necessary for them to sell Lanfranco House and Meredith Lodge. The funds raised through the sale would be reinvested into FCRT's other sites to secure the future of the charity.
- 8.6 As there would be no increase in the level of residential accommodation provided on the site, mitigation in respect of recreational impacts and nutrients are not required and the Biodiversity Net Gain would fall within the 'de-minimus' category.
- 8.7 With regard to neighbouring amenity the level of activity on the site would be much reduced. Lanfranco House currently houses approximately 10 residents comprising of staff and young residents. Access to the site is via a narrow, unmade private track between No. 26 and No. 30 Garden Road and regular traffic into the site is generated during both night and day. A residential C3 use is likely to generate much less activity and cause less disturbance in what is a predominantly residential area.
- 8.8 In respect of Meredith Lodge, concerns have been raised about its retention and the conflict with an earlier condition (as cited above in the Parish Council's response). The reason for the earlier condition requiring the Lodge's

removal on cessation of FCRT's use of the same is set out in the decision notice as follows:

"The building has been justified as ancillary residential accommodation to the current use of the site as a care home for the Fortune Centre of Riding Therapy. It would be important to ensure that the continued presence of a building at this location is justified in planning terms and would not give rise to a material intensification of the use of the site, and would not conflict with policies DW-E1 and NF-E1 of the New Forest District Local Plan First Alteration."

- 8.9 The use of the Lodge as an incidental outbuilding in connection with Lanfranco House would not give rise to a material intensification of the use of the site. Its size, scale and appearance are not dissimilar to domestic outbuildings commonly found across the New Forest. It is well related to what would be the host dwelling and would clearly fall within what would become the private garden area of Lanfranco House. The outbuilding would not be easily seen from outside the site, the building is proposed to be retained in its current location without changes to its external appearance. However, given that the Lodge is currently equipped for independent residential use, it would be important to agree the details of the items to be removed from the Lodge to ensure its future use remains incidental to the host dwelling. This can be secured by condition.
- 8.10 Some of the comments refer to the location of the lodge as 'being within a paddock'. The site plans submitted with the 2007 application and historic aerial photographs show that the Lodge has always been within the rear garden area and the paddock beyond the garden is still present and unchanged.
- 8.11 With these considerations in mind, the retention of the Lodge as an incidental outbuilding, subject to the standard condition restricting habitable accommodation as set out in Policy DP37, would have no further unacceptable impact on neighbour amenity or the wider area. As the site already benefits from a stable block, a smaller outbuilding and a summerhouse within its grounds and with the retention of the Lodge it would be reasonable to remove permitted development for further outbuildings within the site so that the site would not suffer from a proliferation of outbuildings.

Conclusion

- 8.12 The proposal would see the property return to its original (and less intensive) residential use as a single dwelling whilst the Lodge would be retained as an incidental outbuilding in compliance with Policy DP37. There is no

conflict with Policy SP39 as the FCRT would continue to operate across the New Forest.

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 outbuilding (formerly known as Meredith Lodge) 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. Within three months of the date of this permission, details of the existing internal fixtures and fittings to be removed from the outbuilding (that previously supported the C2 use) shall be submitted to and approved in writing by the New Forest National Park Authority. The removal of the agreed items shall take place within three months of commencement of the development hereby permitted.

Reason: To ensure the outbuilding is only used for incidental purposes and to protect the character and appearance of the countryside in accordance with Policies DP36 and DP37 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

3. Development shall only be carried out in accordance with Drawings JDPC-01 (Location Plan), JDPC-02 (Existing and Proposed North and South elevations), JDPC-03 (Existing and Proposed East and West Elevations), JDPC-04 (Existing and Proposed Ground and First Floor Plans), JDPC-05 Existing and Proposed Full Plans - Meredith Lodge), JDPC-06 (Site Plan). 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).

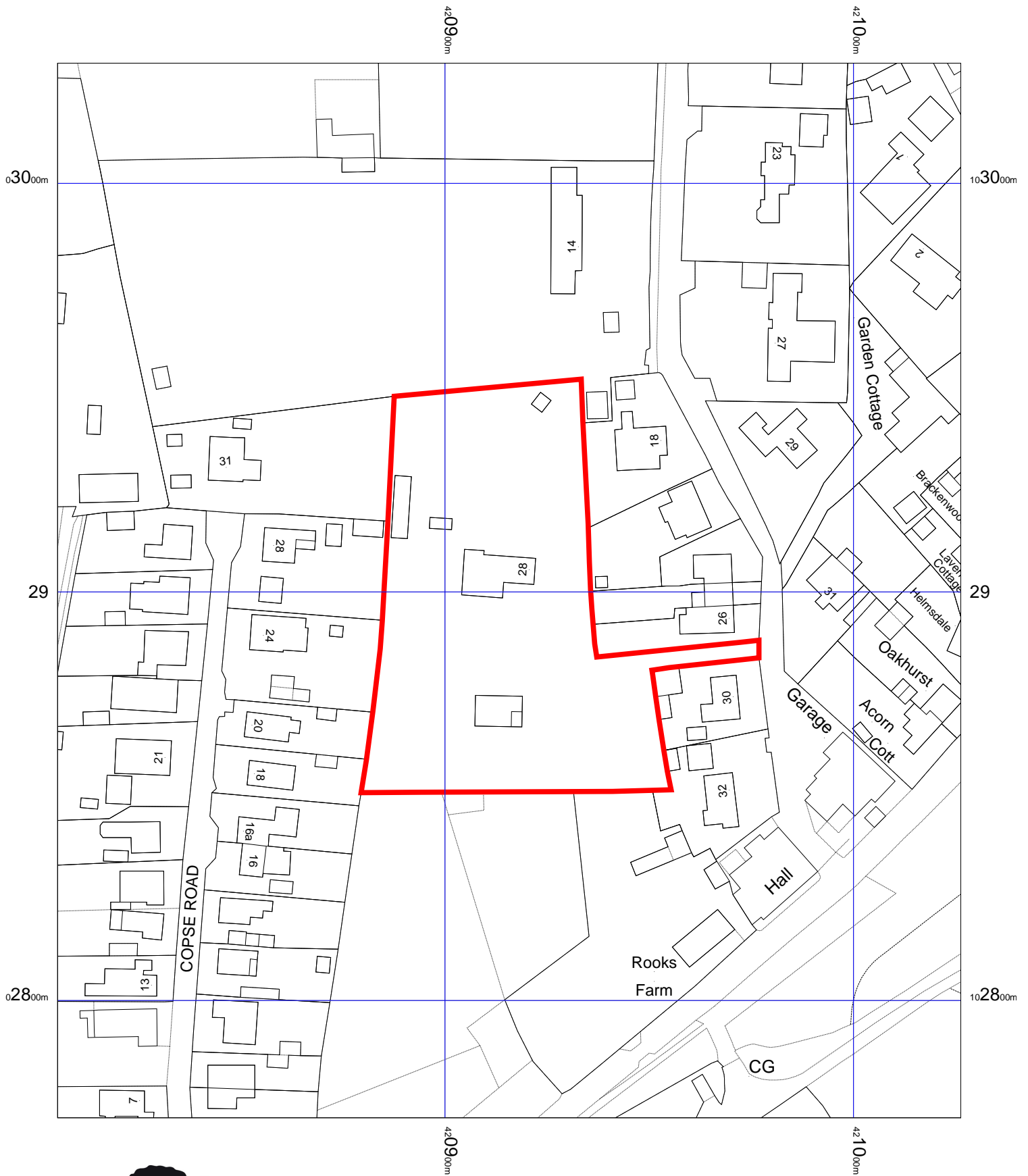
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any re-enactment of that Order) no development otherwise approved by Classes A and E of Part 1 of Schedule 2 to the Order shall be

erected or carried out without express planning permission first having been granted.

Reason: In view of the physical characteristics of the plot, the New Forest National Park Authority would wish to ensure that any future development proposals do not adversely affect the visual amenities of the area and the amenities of neighbouring properties, contrary to Policy DP2 (and SP17) of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

Informative:

1. The Authority has considered the application in relation to its adopted Local Plan, the National Planning Policy Framework and any other relevant material planning consideration and has confirmed to the applicant or their agent that the development is compliant and does not harm the character and appearance or amenities of the area.



NEW FOREST
NATIONAL PARK

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