

Application No: 24/01096FULL Full Application

Site: Bramshaw House, Penn Common Road, Lyndhurst SO43 7JL

Proposal: Erection of bungalow; garage; outbuilding; demolition of existing bungalow (AMENDED PLANS)

Applicant: Mr R Bull

Case Officer: Ben Gilpin

Parish: Bramshaw Parish Council

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view.

2. POLICIES

Development Plan Designations

Conservation Area

Principal Development Plan Policies

SP1 Supporting sustainable development

SP6 The natural environment

SP7 Landscape character

SP15 Tranquillity

SP16 The historic and built environment

SP17 Local distinctiveness

DP2 General development principles

DP18 Design principles

DP37 Outbuildings

DP35 Replacement dwellings

DP36 Extensions to dwellings

Supplementary Planning Documents

Design Guide SPD

NPPF

Sec 12 - Achieving well-designed places

Sec 15 - Conserving and enhancing the natural environment

Sec 16 - Conserving and enhancing the historic environment

3.

MEMBER COMMENTS

None received

4.

PARISH COUNCIL COMMENTS

Bramshaw Parish Council: Recommend refusal for the reasons listed below.

We do not believe the proposed design is consistent with the character of the other buildings in the area. It is not clear which direction the steps go, whether up or down, nor is there sufficient information relating to the height of the roof ridge.

If the steps go down and the ridge is high enough, we are concerned that a mezzanine may be installed at a future point and by so doing create an increase in the habitable floor space in the future.

We are concerned about the overhangs and possible future infilling. The chimneys are very elaborate and not in keeping with rural design. It is not clear if there are fireplaces and therefore if the chimneys serve any purpose. The area is dark and there are no streetlights. We are concerned that the amount of glazing could cause light pollution.

5.

CONSULTEES

Tree Officer: No objection subject to condition.

Bramshaw House is situated in a designated conservation area therefore all tree species with a stem diameter of 75 mm or greater when measured at 1.5 m from ground level are protected. The proposed dwelling is to be situated further east than the existing bungalow this way providing a greater degree of separation between the building and existing front boundary, high amenity trees. To facilitate this re-positioning and associated landscaping, several small ornamental trees require removal. The removal of these trees will not have a detrimental impact on public visual amenity while the larger trees on site are shown to be retained and protected for the duration of both demolition and construction.

Building Design and Conservation Officer: Subject to issues with the design of the replacement dwelling being addressed, overall, the proposed scheme is considered appropriate to the conservation area setting.

Ecologist: No objection subject to conditions in relation to lighting; biodiversity mitigation, enhancement and compensation; and construction mitigation.

6.

REPRESENTATIONS

Two objections on the following grounds:

- The design is out of keeping (notably to the height of the original chimney stacks and their ornate style);
- Percentage increase of the development; and

- Noise (ASHP) and light pollution (glazing).

7. RELEVANT HISTORY

Appeal against enforcement notice (without planning permission the erection of a building) dismissed on 09 December 2022

Outbuilding (garage/workshop); demolition of existing (20/00858) refused on 03 February 2021

Replacement dwelling (Demolition of existing dwelling) (20/00602) refused on 24 November 2020

Application for a Certificate of Lawful Development for Existing outbuilding (20/00558) objections raised on 23 October 2020

Replacement dwelling (Demolition of existing dwelling) (19/00356) withdrawn on 12 November 2019

Water treatment plant (19/00064) granted on 04 April 2019

8. ASSESSMENT

Application Site

8.1 The site is a single storey detached dwelling (bungalow), set within a reasonably sized plot. The bungalow and garage are positioned to the western side of the site.

8.2 The site is outside of the defined New Forest village boundaries. To the north of the site are mature trees and hedgerow, with open heath beyond. To the east is an enclosed paddock. To the south is woodland and to the west is the neighbouring residential property.

8.3 The site is located in the Forest Central (North) Conservation Area.

8.4 The property proposed for demolition is not a non-designated heritage asset. Immediately adjacent to the site (north) is the New Forest SSSI, SAC, SPA and Ramsar ecological designations.

Proposed Development

8.5 The application seeks planning permission for a replacement bungalow; garage; outbuilding; and the demolition of existing bungalow.

8.6 The replacement dwelling, as amended during the course of the application, would be sited east of the current building's position. The current dwelling is 12.3m wide by 8.9m deep and is 2.6m high (eaves) / 5.85m high (ridge). The replacement dwelling would be 2.55m high (eaves) / 6.3m high (ridge). The building proposed would comprise of three sections, being the central core and two side wings. The wing to the west would include cover for the main point of access and set back circa 2.5m from the line to the front of the building. The wing to the east would be smaller and set back circa 4m from the line at the front of the

building. The building seeks to include a bespoke designed chimney, that seeks to incorporate artistic brick work.

8.7 The current proposal, being an amendment to the original submission, has reduced the number of ornate chimney stacks from three, down to two, and has lowered the height of the stacks so they are now 2.6m tall (they were proposed to be 3.6m tall).

8.8 The design incorporates two roof windows, that span the ridge, to allow natural light into the communal area of the dwelling.

8.9 The dwelling would include brick walls and clay pantile roof, with timber clad aluminium windows and would have a maximum width of 13.5m and depth of 15m.

8.10 The replacement outbuildings (the existing garage is to be demolished as part of this proposal), would include a single-storey, open fronted 'cart lodge' (two-bay garage building), with attached open lean-to for wood storage. This building, set back from the principal elevation of the proposed replacement single-storey dwelling, would be finished to a reclaimed oak, horizontal timber cladding (on a low-level brick plinth), and clay pantiles to the roof.

8.11 This building would be 6m deep by 7m wide, and 2.5m high (eaves) / 3.7m high (ridge). The lean-to element would be to the eastern side and would be 3m wide by 1.5m deep and would be 1.7m high (eaves) / 2.3m high (ridge (single plane roof)).

8.12 In addition, an office building, for incidental use, would be positioned to the rear of the replacement bungalow. This building would be 5m wide by 3m deep, and 2.5m high (eaves) / 3.7m high (ridge). It would only have electrical connection, with no internal plumbing for a water closet or taps. It would be finished to reclaimed oak, horizontal cladding on a brick plinth for the walls (glazed on the south facing elevation) and clay pantiles for the roof.

Consideration

8.13 The key issues to assess are compliance with Policies DP35 and DP36; whether the proposed development would be in character with its location within the National Park and conservation area; any impact on ecology, heritage and whether there would be any unacceptable adverse impacts upon neighbour amenity.

Principle of Development

8.14 Policy DP35 sets out that replacement dwellings can be permitted except where the existing dwelling is the result of a temporary or series of temporary permissions or the result on an unauthorised use; or if it makes a positive contribution to the historic character and appearance of the locality.

8.15 Bramshaw House is not an unauthorised or a temporary dwelling. The property on site, being a uniform, brick-built bungalow, is not considered to make a positive contribution to the historic character or appearance of the locality and the dwelling is not locally listed. The principle of a replacement dwelling is therefore considered acceptable in this instance.

8.16 The existing bungalow is not a small dwelling for the purposes of Policies DP35 and DP36. Policy DP35 states that a replacement dwelling located outside of the defined villages should be of no greater floor space than the existing dwelling. However, as set out in the Authority's Planning Information Leaflet (revised January 2022), should there be scope to extend the existing dwelling before it is replaced, then as a pragmatic approach, an extension that would be compliant with Policy DP36 may be allowed at the same time as the replacement, providing it reads as an "extension" and the additional floor space does not increase the overall bulk of the replacement dwelling. The proposed replacement bungalow would result in a 29% increase in floor space which would fall within the 30% restriction contained within Policy DP36.

8.17 With regards to justification for repositioning the dwelling on the site, the environmental benefits of re-siting include the improved level of separation from the property to the west (so enhancing their amenity and environment); the proposed location of the replacement dwelling will allow for improved solar gain during winter months and allow for passive shading during summer months, employing the warmth of the sun and appropriate design to heat or cool the building at the relevant times of the year; and the retention of the concrete slab that sits below the existing garage ensures embodied carbon is not wasted, with this concrete being used to deliver a robust and long lasting access track into the site. In this instance the proposed replacement dwelling would accord with Policy requirements and is considered acceptable.

Design and Impact on Heritage Assets

8.18 In respect of the proposed design, there is a duty imposed by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring decision makers to have special regard to the desirability of preserving or enhancing the character or appearance of a conservation area. The Authority's Building Design and Conservation Officer has commented that while not traditional, the overall design concept is aesthetically more pleasing and architecturally more interesting than the existing bungalow. The design also seeks to be sustainable, incorporating SIP construction, locally sourced / reclaimed facing materials, an air source heat pump, solar panels, and MHRV and in accordance with Policies SP1 and SP14. However, amendments to some design elements were suggested (notably the scale / height of the proposal and reduction in the number of chimney stacks).

8.19 The original design sought three ornate chimney stacks. The amended scheme reduces this to two. The height of the original stacks was 8.2m. This has been reduced to 6.7m. The height of the original

design was 7.6m to ridge. This was amended to 6.5m to ridge. The width of the original design was 15.6m. This was reduced to 15.2m wide.

8.20 In relation to the amended design, it is accepted that the design is unique, with the level of roof pitch proposed. Although, the ridge height is similar to that of the previously refused proposal at the site, the design is such that it has sought to remove the second storey element, which would be at odds with the other properties to the west (which are themselves single storey, 'modern' bungalow styled properties), and seeks ground level living accommodation. This, plus the fact that the most visible wing, being to the eastern side, would be set back a suitable distance from the principal elevation, is considered to reduce the appearance of scale and, more importantly, bulk of the proposed replacement dwelling.

8.21 The proposal now includes only two chimneys, with stack height of 6.7m. Comments regarding the appearance and style of the chimneys are noted. It is also noted that such ornate chimneys would not be unique within the conservation area, with examples of comparable ornate chimneys existing on brick-built buildings (such as Rouds Cottage, Red Hill Lodge, and 1 and 2 Memorial Cottages, all of which are within the same Conservation Area). On balance, it is not considered reasonable to seek refusal on the grounds of the chimney style as proposed.

8.22 Overall, it is considered that the scheme, with the removal of the current building, which does not contribute positively to the character and appearance of the conservation area, and its replacement with a non-traditional but architecturally more interesting design would preserve and enhance the character and appearance of the conservation area. The current application and its design have provided an opportunity to enhance the character of the heritage asset and, subject to planning conditions, is considered to achieve this, in accordance with the requirements of Policy SP16 and the NPPF.

8.23 The proposed outbuildings would be located within the residential curtilage, subservient to the dwelling and for incidental uses. The outbuildings would accord with the requirements of Policy DP37.

Ecology and Trees

8.24 With regards to Biodiversity Net Gain (BNG) provision, as the application form states the development would qualify as a self-build project, the proposal falls within those types of development that are exempt from needing to provide BNG.

8.25 However, the proximity of the site to protected ecological areas means any works proposed, at the scale as detailed in this application, would need to be suitably managed and mitigated.

8.26 Bats surveys have been undertaken, and the presence of bats has been detected. In this instance, the Bat Roost Survey (ENIMS – September 2023 – commissioned after the advice contained in the

Preliminary Ecological Appraisal (ENIMS – June 2023) advises that prior to works being undertaken, the requisite licence from Natural England would need to be secured. The Authority must therefore be satisfied that the three tests for obtaining such a licence would be met. The first and second tests relate to the work being in the public interest (this is met by its being in compliance with adopted Policy) and there being no satisfactory alternative (the development is the appropriate means of meeting the homeowners' requirements). The third test relates to the maintenance of the conservation status of the population of protected species. The Authority's Ecologist has recommended that final details of ecological mitigation, compensation and enhancement are secured by pre-commencement condition. If the works are carried out in accordance with the details then submitted and the requirements of a licence, this test is capable of being met. Subject to the inclusion of conditions, the proposed development would therefore be in accordance with Policy SP6.

Other

8.27 In relation to impacts upon amenity, Policy DP2 sets out that development which would result in unacceptable adverse impacts on amenity in terms of additional impacts, visual intrusion, overlooking or shading will not be permitted. The property that has the potential to be directly affected by this proposal would be Oakwood (to the west).

8.28 In this case, the replacement dwelling would be moved a short distance further to the east of this property (than that of the current dwelling). This repositioning and retention of the single-storey design would ensure there would be no resultant sense of overbearing or over shadowing to the neighbouring residence. Furthermore, the western elevation of the replacement dwelling would have no windows that could legitimately result in intervisibility between neighbouring habitable rooms. In summary, it is not considered that the replacement dwelling would impact or result in overlooking into the neighbouring property or their outdoor amenity space, and as such the development would adhere to the requirements of Policy DP2.

8.29 Comments received also include concerns in relation to noise and light emissions. In relation to the proposed air source heat pump (ASHP), to be positioned to the rear of the cart house, Class G, Part 14, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the GPDO), allows for one ASHP to be affixed to a rear wall of a dwelling, without the need for formal planning permission (when they are in conservation areas). As the ASHP forms part of this application, it is considered reasonable to request details of noise emissions, prior to it being installed. This can be secured by way of a planning condition. The proposed ASHP would comply with Policy SP14.

8.30 In relation to potential light emissions, the proposed level of glazing is not excessive and the roof includes areas of overhang to reduce upward light emissions. The proposal includes two roof lights and, in the context of this site, it is considered reasonable to include a planning

condition requiring details and specification standards on the roof lights to be used, evidencing measures to mitigate for light emissions during times of darkness.

Conclusion

8.31 In conclusion, the replacement of the dwelling and proposed outbuildings, with the amendments as have been made, are considered to accord with Policies DP2, DP18, DP35, DP36, SP6, SP7, SP15 and SP17 of the adopted Local Plan and the NPPF. Permission is recommended subject to conditions.

9. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

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

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

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

422-PL-01;
422-PL-02 Rev A;
422-PL-03 Rev A;
422-PL-04 Rev A;
422-PL-05 Rev A;
422-PL-06;
422-PL-07;
422-PL-08 Rev A
SV ARB Tree Constraints Plan (September 2023)

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 (including glazing for roof lights, to minimise light emissions) for the dwelling and outbuildings have been submitted to and approved in writing by the New Forest National Park Authority.

Development shall only be carried out in accordance with the details approved.

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

4. No development shall take place above slab level until full details of all proposed door and window joinery for the dwelling and outbuildings, at scale 1:10 elevation and 1:5 section, have been submitted to, and approved in writing by, the Local Planning Authority.

Development shall only be carried out in accordance with the details approved.

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

5. The trees 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 SV Arb Arboricultural Report and Tree Constraint Plan dated September 2023 while in accordance with 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, and to accord with Policies DP2 and SP16 of the New Forest National Park Local Plan 2016 - 2036 (August 2019).

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

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

7. 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 (including alterations) 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).

8. The outbuildings hereby approved 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.

No external alterations shall be made without express planning permission being granted.

Reason: To protect the character and appearance of the countryside in accordance with Policies SP16 and DP37 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

9. Prior to installation, details / specification of noise levels associated with the approved Air Source Heat Pump (ASHP) shall be submitted to, and approved in writing by, the Local Planning Authority, and the ASHP shall thereafter be installed in accordance with such specifications and retained thereafter.

Reason: In the interests of neighbouring amenity and to accord with Policy DP2 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

10. No exterior lighting shall be installed, unless details are submitted to, and approved by, the Local Planning Authority in writing.

Such exterior lighting details are to be compiled and take the form of a professionally informed lighting assessment, to include specifications of additional lighting, demonstrating accordance with the Institute for Lighting Professionals Guidance note 8 – Bats and artificial Lighting. Any such exterior lighting, as approved, shall be maintained in accordance with the specifications thereafter.

Reason: In the interests of neighbouring amenity and ecology, and to accord with Policies DP2 and SP6 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

11. Prior to the commencement of the development hereby approved, details of biodiversity mitigation, compensation and enhancement shall be compiled by a competent person, and such details shall be submitted to, and agreed in writing by, the Local Planning Authority.

The details should include at a minimum, a method statement for demolition and vegetation clearance (timings, pre-demolition checks and supervision as necessary) as well as provision of compensation features including 5 bat tubes or crevice access opportunities, as well as 2 bird boxes. Suitable post completion monitoring check shall be undertaken and confirmation of satisfactory delivery provided to the Local Planning Authority by a competent person prior to occupation.

Reason: In the interests of wider ecology, and to accord with Policies SP5 and SP6 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

12. Prior to the commencement of the development hereby approved, a Construction Environment Management Plan (CEMP) shall be submitted based on the submitted construction logistics plan (drawing number 422-PL-08 Rev A) and including measures managing encroachment risks to the adjacent designated sites by ensuring all fencing and hoarding is within the property boundary and off the designated sites.

Development shall proceed strictly in accordance with the plan unless otherwise agreed in writing by the Local Planning Authority.

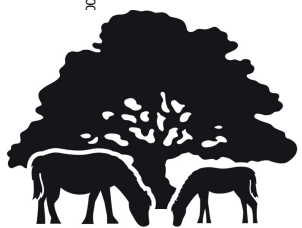
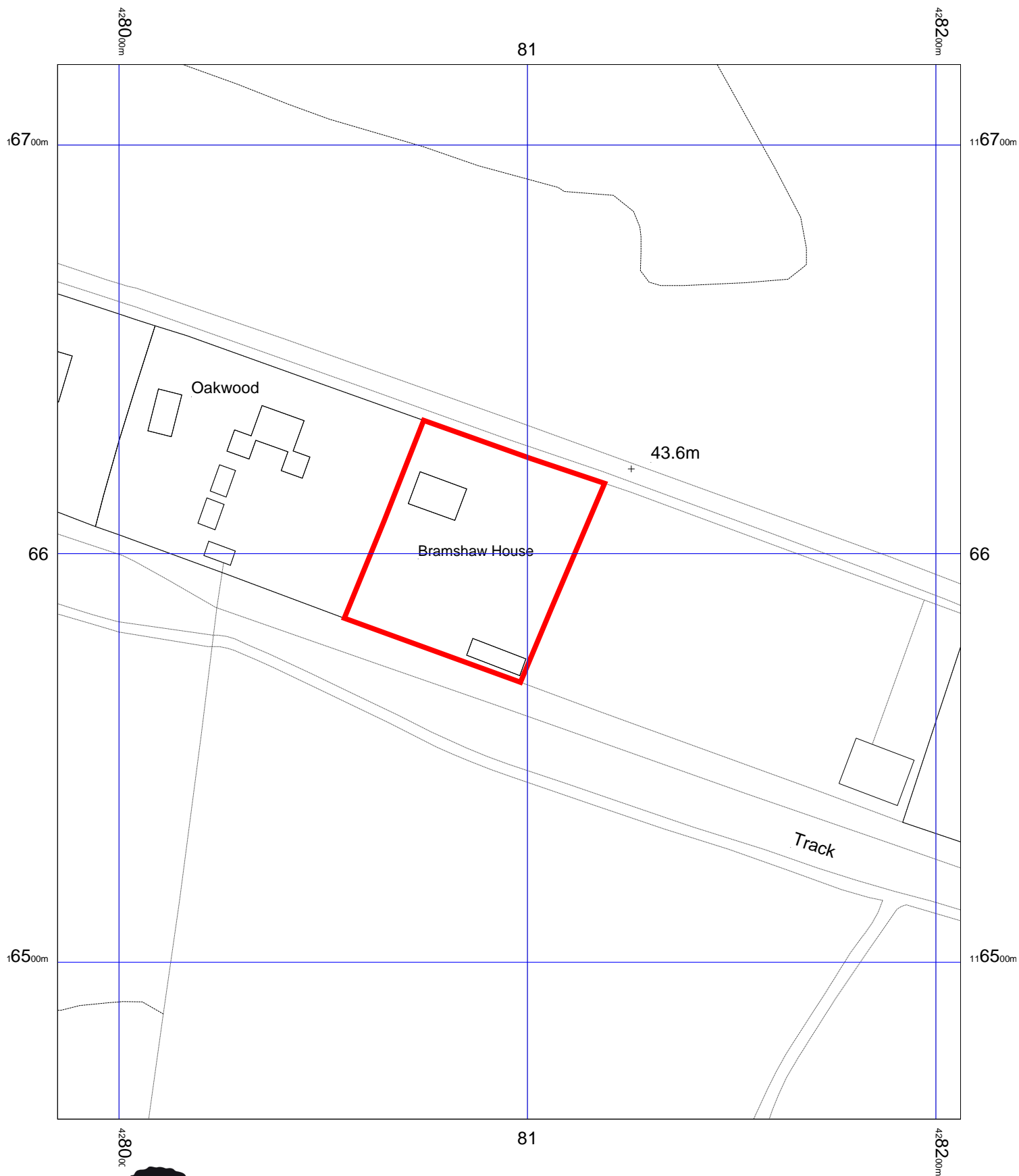
Reason: In the interests of wider ecology, and to accord with Policies SP5 and SP6 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

13. The areas covered by overhang as shown on the approved plans shall at no point be in-filled or incorporated into the main dwellinghouse.

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

Informative(s):

1. All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 41 of the Conservation of Habitats and Species Regulations 2010. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement and given the relevant contact number for Natural England, which is 0300 060 3900.



NEW FOREST
NATIONAL PARK

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

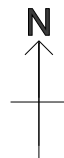
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Date: 06/03/2025

Ref: 24/01096FULL

Scale: 1:1250

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Application No: 24/01207FULL Full Application

Site: Land Opposite The Cottage, Godshill Wood SP6 2LR

Proposal: Use of building and land for agricultural bee keeping; extension to building, polytunnel.

Applicant: Mr D Parker

Case Officer: Joshua Dawes

Parish: Godshill Parish Council

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. POLICIES

Development Plan Designations

Conservation Area

Principal Development Plan Policies

DP2 General development principles

DP18 Design principles

DP45 Extensions to non-residential buildings and uses

DP50 Agricultural and forestry buildings

SP6 The natural environment

SP7 Landscape character

SP15 Tranquillity

SP16 The historic and built environment

SP17 Local distinctiveness

SP48 The land-based economy

Supplementary Planning Documents

Design Guide SPD

NPPF

Sec 12 - Achieving well-designed places

Sec 15 - Conserving and enhancing the natural environment

Sec 16 - Conserving and enhancing the historic environment

3. MEMBER COMMENTS

None received

4. PARISH COUNCIL COMMENTS

Godshill Parish Council: resolved to support the above application on the grounds that the applicant covered many areas of concern raised by other consultees to the application when the application was considered at a meeting. He advised that the site will not be for commercial use, he will be the only person managing the site and no employees will be working at the site, with the only vehicle movements being his own vehicle(s) and any toilet facility put in place will be for his own use whilst managing the bees hives and the site. Consequently, Councillors considered that the anticipated impact on neighbouring properties, the local bee population, the footpath and on the use of the track to Godshill Wood would be no greater than its current use.

5. CONSULTEEES

Building Design and Conservation Officer: Concerns in relation to increase in scale, size, and massing within a small plot in a highly visible part of the conservation area which will appear as overdevelopment of the site and negatively impact the dispersed, rural character of the designated asset. This would be further exacerbated with the introduction of a large polytunnel. The introduction of a polytunnel on this site could be considered a proliferation of outbuildings on a considerably restrained site that neither preserves nor enhances the character and appearance of the Conservation Area.

Ecologist: Unable to support. In my opinion currently there is insufficient information to demonstrate accordance with SP6.

Environmental Protection (NFDC): Environmental Health does not object to the application, providing suitable planning conditions are attached to any granted permission.

6. REPRESENTATIONS

Five comments received in objection with grounds summarised below.

- Concern that the proposal would result in a change of use as there has not been an agricultural use on the site for decades.
- The site is too small to accommodate the proposal, becoming over-prominent and un-characteristic within the landscape.
- The level of activity at the site will increase along with incoming/outgoing traffic.
- Placement of such a large amount of bees in a residential area would be a health risk to residents and passers by.
- Concern relating to the increased traffic on the narrow, rural lane and damage this might cause.
- Impact on the usability of the nearby public footpath.
- The placement of a commercial business in a residential area would be out of character and inappropriate.
- Concerns relating to the noise, light and pollution coming from the site and use.

- Impact on the local ecology with the introduction of an estimated 1 million bees.
- The proposed building would be too large.
- Addition of a septic tank and toilet would be unnecessary.
- The amount of development proposed would result in a significant level of visual intrusion.

7. RELEVANT HISTORY

Change of use from stables and stores to studio (NFDC/76/05592) refused on 04 October 1976.

8. ASSESSMENT

Application Site

8.1 The 0.1 hectare application site is located to the north east of the Cottage and to the south west of Godshill Wood House in Godshill Wood. The site is situated within the Western Escarpment Conservation Area. The site appears to have been used as agricultural in the past, with an agricultural building located on the site, which was left in disrepair and recently partially restored with a section being removed.

Proposed Development

8.2 This application seeks planning permission for the use of the land for agricultural bee keeping; an extension to the building which would be used in connection to the bee keeping on the site; and the construction of a polytunnel in the centre of the plot. The building and its extension would be used for storage space for spare hives and other beekeeping related equipment, as well as the extraction and processing facilities used for the jarring and processing of honey. The polytunnel would be used in connection with the bee-keeping activities on the site.

Consideration

8.3 The key considerations relate to Policies DP45 and DP50; the impact on the landscape, public footpath and heritage assets; the impact on neighbouring amenity; and the impact on ecology.

8.4 The application site comprises a small plot of land located to the north of The Cottage. Section 336(1) of the Town and Country Planning Act 1990 (as amended) states that "agriculture" includes horticulture, fruit growing, seed growing, dairy farming, the breeding and keeping of livestock (including any creature kept for the production of food, wool, skins or fur, or for the purpose of its use in the farming of land), the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes, and "agricultural" shall be construed accordingly." The land has not been in use for an extended period of time. However, it is understood to have previously been in agricultural use and the use of the land for agricultural

activities would not result in a change of use, or require planning permission.

8.5 In relation to the proposed extension of the existing building, Policy DP45 (Extensions to non-residential buildings and uses) sets out that the limited extension of existing non-residential buildings and uses will be permitted where it: a) would not materially increase the level of impact of the activity on the site; and b) is contained within the existing site boundary. The proposed extension would extend beyond the historic building line of the former building and would contain storage space, an incubator, desks and a toilet in addition to the current building containing an extraction and bottling room and stores. Whilst contained within the site boundary, the proposed extension is considered to comprise more than a limited extension, with associated impacts on the landscape and conservation area, and with the potential to materially increase the level of activity on the site.

8.6 The proposal also includes a polytunnel. Policy DP50 (Agricultural and forestry buildings) states that permission will be granted for buildings required for agriculture or forestry purposes where:

- a) there is a functional need for the building and its scale is commensurate with that need and its setting in the landscape;
- b) the building is designed for the purposes of agriculture or forestry;
- c) the site is related physically and functionally to existing buildings associated with the business unless there are exceptional circumstances relating to agricultural necessity for a more isolated location; and
- d) they do not involve large or obtrusive structures or generate a level of activity which would have a detrimental effect on the National Park.

8.7 Whilst the polytunnel would be sited in close proximity to the extended agricultural building, it would comprise a large structure. In combination, the buildings would extend across a large portion of the plot, which would be easily seen from the main track and public footpath as well as other properties.

8.8 There is a duty imposed by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring decision makers to have special regard to the desirability of preserving or enhancing the character or appearance of a conservation area. The Authority's Building Design and Conservation Officer has noted that an L-shaped outbuilding is illustrated on the 1924 OS map and therefore there is no in principle objection reinstating the outbuilding to its former size. However, concerns have been raised over further increasing the size of the outbuilding to the east, beyond the historic building line. An increase in scale, size, and massing within a small plot in a highly visible part of the conservation area is considered to appear as overdevelopment of the site and negatively impact the dispersed, rural character of the designated asset. This would be further exacerbated with the introduction of a large polytunnel which is considered a proliferation of outbuildings on a considerably restrained site that neither preserves nor enhances the character and appearance of the conservation area. The proposal would

be contrary to Policy SP16 of the adopted Local Plan and section 16 of the NPPF. In addition, it is considered that the proliferation of buildings on the site would have an adverse impact on landscape character contrary to Policy SP7.

8.9 Whilst the proposed development would have a visual impact, it is noted that there is some distance between the plot and neighbouring dwellings due to the other small plots of agricultural land and generous residential plots in the area. Many concerns have been raised about the impact of the bees on the nearby residents and passers by.

Environmental Health (pollution) at NFDC has been consulted and have no objection subject to planning conditions in relation to an Apiary Management Plan (AMP) detailing measures to ensure that the keeping of bees does not cause detriment to amenity or a nuisance, especially to those living and working in the locality.

8.10 In relation to the impact on ecology, the submitted information has been reviewed by the Authority's Ecologist. The Ecologist is currently unable to support the proposals. The proposals include a Biodiversity Net Gain Metric and Assessment, prepared by competent persons, which suggests BNG will be achieved on site largely by an improvement in neutral grassland condition and tree planting. A figure of 26.1% net gain is detailed. However, the Ecologist has highlighted inconsistency in the baseline data provided requiring clarification. In relation to impacts on protected species, further clarification is required in respect of protected species issues (mainly bat licensing and efficacy of mitigation related to local policy, as well as lack of meaningful engagement with enhancement aspects of Policy SP6 for species). Overall, there is insufficient information to demonstrate accordance with SP6.

Conclusion

8.11 As set out above, the increase in scale, size, and massing of the existing building within a small plot in a highly visible part of the conservation area, together with the introduction of a polytunnel would have an adverse impact on the landscape and on the character and appearance of the conservation area. In addition, in relation to ecological impacts, there is insufficient information to demonstrate accordance with Policy SP6. Refusal is therefore recommended.

9. RECOMMENDATION

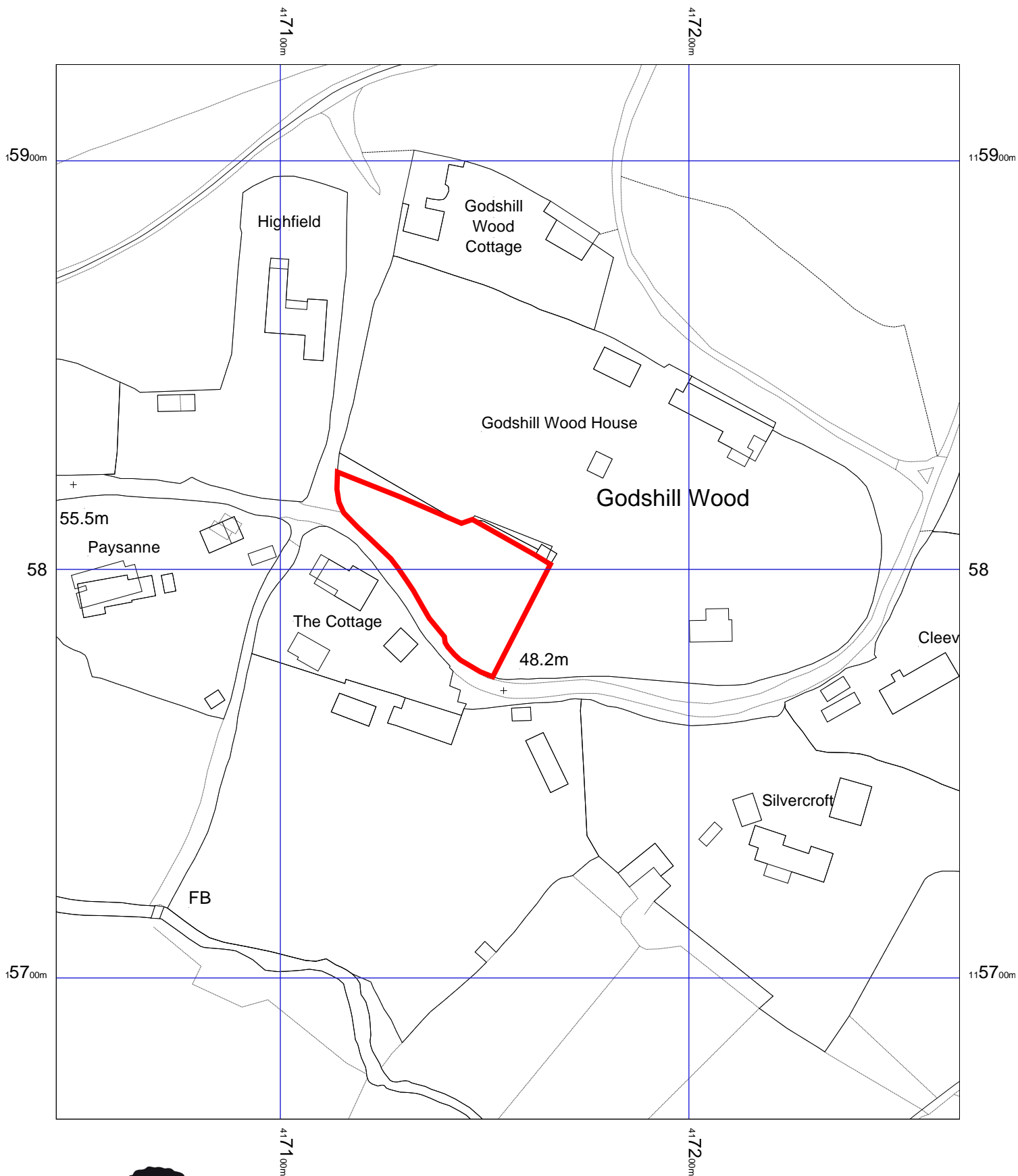
Refuse

Reason(s) for refusal:

1. The proposed development, by virtue of its scale, form and siting would add significantly to the built development on the site which would result in a harmful impact on the landscape character of the area and upon the character and appearance of the Western Escarpment Conservation Area. The proposed development would be contrary to Policies DP2, DP45, DP50, SP7, SP16 and SP17 of the New Forest National Park Local Plan 2016- 2036 (adopted August 2019) and the

NPPF. In addition, the proposed development would not seek to further the purposes of the National Park, contrary to the requirement of Section 245 of the Levelling Up and Regeneration Act 2023, which amended Section 11A of the National Parks & Access to the Countryside Act 1949.

2. Insufficient information has been provided to demonstrate that the proposal would avoid or adequately mitigate the impact on protected species. The proposal has unsatisfactorily demonstrated accordance with national (NPPF) and local policy (Policy SP6), nor fully engaged with the legal tests relating to European protected species. The proposal is therefore contrary to Policies DP2 and SP6 of the adopted New Forest National Park Local Plan 2016-2036 (adopted August 2019), the NPPF and Paragraph 99 of Circular 06/2005.



NEW FOREST
NATIONAL PARK

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

Tel: 01590 646600 Fax: 01590 646666

Date: 06/03/2025

Ref: 24/01207FULL

Scale: 1:1250

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Application No: 24/01379FULL Full Application

Site: 29, High Street, Lyndhurst SO43 7NX

Proposal: Conversion of first and second floors to form 4no. flats with ground floor bin and bike storage

Applicant: H Saidov

Case Officer: Liz Marsden

Parish: Lyndhurst Parish Council

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view.

2. POLICIES

Development Plan Designations

Defined New Forest Village Lyndhurst
Local Shop Frontages
Conservation Area

Principal Development Plan Policies

DP2 General development principles
DP18 Design principles
DP34 Residential character of the Defined Villages
DP44 Redevelopment of existing employment sites
SP16 The historic and built environment
SP17 Local distinctiveness
SP19 New residential development in the National Park
SP21 The size of new dwellings

NPPF

Sec 11 - Making effective use of land
Sec 12 - Achieving well-designed places
Sec 15 - Conserving and enhancing the natural environment
Sec 16 - Conserving and enhancing the historic environment

3. MEMBER COMMENTS

None received

4. PARISH COUNCIL COMMENTS

Lyndhurst Parish Council: Recommend refusal for the reasons listed.

The proposed flats have a lack of liveable floor space, they are of poor internal design with no storage space for possessions. Lack of parking available on site. The Committee prefer planning application 23/01369FULL which was approved in March 2024.

5. CONSULTEES

Conservation Officer: Although there is no objection from a heritage perspective as there would be no external changes to the building, there is concern that the proposal would be an overdevelopment of the site. The flats would be very small with awkward layouts. Also, a query over whether the windows, which were shown to be replaced previously, are to be retained.

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

6. REPRESENTATIONS

None received.

7. RELEVANT HISTORY

Alterations to former bank building to create a retail unit at ground floor; residential units on the first and second floors, to include a first and second floor rear extension; insertion of roof light; alterations to fenestration (23/01369FULL) granted on 05 March 2024.

Display various non illuminated signs. (13/98366) granted on 17 May 2013.

Non-illuminated hanging sign (07/91534) granted on 15 June 2007.

8. ASSESSMENT

Application Site

- 8.1 The application site is located towards the top of the High Street near its junction with Romsey Road (A337). The building, which is one of the largest in this part of the High Street, was formerly used as a bank (currently

vacant), with offices at first floor level and a two bed-room flat on the second floor. The building has been identified as a non-designated heritage asset (NDHA).

Proposed Development

8.2 The application is a variation on a permission granted in 2024, which permitted the extension of the property to the rear and the conversion of the first and second floor to three flats. The current proposals do not include any extensions or alterations to the exterior of the building, but would result in the creation of four, single bed flats. The ground floor is to be retained in a commercial use, as approved previously. The key considerations are:

- Whether the proposal accords with policies for new residential development in the National Park (SP19 and SP21);
- Any impact on the character and appearance of the conservation area;
- Any impact on neighbour amenity; and
- Whether the lack of parking facilities is acceptable in this central location.

Consideration

8.3 The site lies within the defined New Forest village of Lyndhurst where, under Policy DP19(c), the development of previously unallocated or unidentified land may be acceptable, subject to it being appropriate and sympathetic to the local character of the village in terms of its scale, appearance, form and siting (discussed in subsequent paragraphs). Policy SP21 requires all new dwellings to have a maximum total internal floorspace of 100 sq.m. In this case, the four flats created by the application would have internal floor areas of around 37 sq.m and are therefore within policy limitations.

8.4 Concern has been raised about the small size of the units and the awkward layout, in particular to flat 4. However, it has been confirmed by the applicant that all units are in compliance with Building Regulations and nationally described space standards as set out in the statutory guidance 'Technical housing standards'. These require a 1 bed, 1 person flat to have a minimum floorspace of 39 sq.m unless, as in the case of the proposed units, they are equipped with showers instead of baths. The minimum space required for a single bedroom is 7.5 sq.m with a minimum width of 2.15m wide. Again, all of the proposed flats comply with this requirement. In the absence of any adopted policies about the minimum size standards that are considered to be acceptable in the National Park, it is not considered that it would be possible to sustain a reason for refusal on this basis.

8.5 It has been suggested that the proposal would result in the overdevelopment of the site, though as there is to be no extension to the building, this would be more in terms of the intensification of the use of the existing available floor area. Whilst it is considered that the very modest size of the units would not accord with the residential character of

Lyndhurst, which predominantly comprises more spacious accommodation, it would have no impact on the character and appearance of either the building or the surrounding conservation area. It has been confirmed that there are to be no external alterations to the building as the existing windows are to be retained and repaired and in these circumstances there would be no added impact on the amenities of occupants of neighbouring properties.

- 8.6 The National Planning Policy Framework (NPPF), in paragraph 124, sets out that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Paragraph 125 (c) states that planning policies and decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused. The New Forest National Park is not covered by the Government's Housing Delivery Test and up-to-date monitoring reports confirm that the number of 'windfall' dwellings that have been completed in the Local Plan period exceed the figure that of 20 dwellings per annum, set out in the plan (paragraphs 7.10, 7.41-7.44). The Authority also has a housing land supply of 6.6 years. Therefore, whilst there is no existing or anticipated shortage, the proposal would provide a modest increase in the housing stock and contribute to the range of size of properties that are available which would be in accordance with the NPPF.
- 8.7 It is recognised that there is no car parking provision for the properties and concern has been raised that this would place increased pressure on the surrounding roads. The site is located within easy walking distance of the village amenities and the public car parks would be easier and closer to access from the flats than the residential roads to the north of the site. It should also be noted that the parking requirement for the current proposals would be one space per unit (four), which is fewer than for the approved scheme of 3 x 2-bed flats, which would have been six spaces. The Highways Authority were consulted on the previous application and raised no objections. The proposal includes provision for the storage of bicycles, one for each flat, which again is in accordance with adopted standards.
- 8.8 Prior to mitigation, the Habitat Regulations Assessment of the Local Plan could not rule out the recreational impacts of any new residential and visitor accommodation throughout the National Park having a likely significant in combination effect on the New Forest SPA and SAC sites. Consequently, mitigation is required for all proposals of these types of development for their recreational impacts on these New Forest designated sites. The site lies in close proximity to the New Forest European designated sites and therefore it would be necessary to mitigate the adverse effects of new residential development on these sites as a result of increased recreational pressures. Policy SP5 of the Local Plan explains that a contribution to the Authority's Habitat Mitigation Scheme will enable developers to ensure that mitigation measures are secured for the recreational impacts of their

development. The applicant has confirmed a willingness to make a financial contribution of the agreed amount via a Unilateral Undertaking (UU) to secure the mitigation.

- 8.9 Natural England have advised that there is uncertainty as to whether future housing and visitor accommodation development will adversely impact the protected habitats of the Solent due to increased levels of nitrates entering the system. In accordance with Natural England's advice to local planning authorities along the Solent coast, the potential impacts from nitrates have been considered in an appropriate assessment in assessing this application. A nutrient 'budget' has been submitted and the applicant has indicated a willingness to accept a condition to secure an avoidance and mitigation package in respect of the impacts of the development. Subject to securing appropriate mitigation in order to achieve a nutrient neutral scheme, the Authority's obligations as a 'competent authority' under the Conservation of Habitats and Species Regulations 2017 are met.

Conclusion

- 8.10 The site is located within the defined village where new residential properties are acceptable in principle. Whilst the proposed units are of a very modest size and somewhat contrived layout, they comply with the criteria of the technical housing standards and can be accommodated without harm to the character and appearance of the NDHA, the conservation area or neighbour amenity. As such the development does not conflict with Policies DP2, SP17, DP18, DP19, SP21 and DP40 of the Local Plan 2016-2036 and is in accordance with the NPPF.

9. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

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

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

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

PP-001 rev. B - Location plan, Block plan, Existing and proposed plans and 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. The development hereby permitted shall not be occupied until:
 - a) A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority;
 - b) A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved in writing by, the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European Sites by the development when fully occupied and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and
 - c) All measures forming part of that mitigation package have been provided to the Local Planning Authority.

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

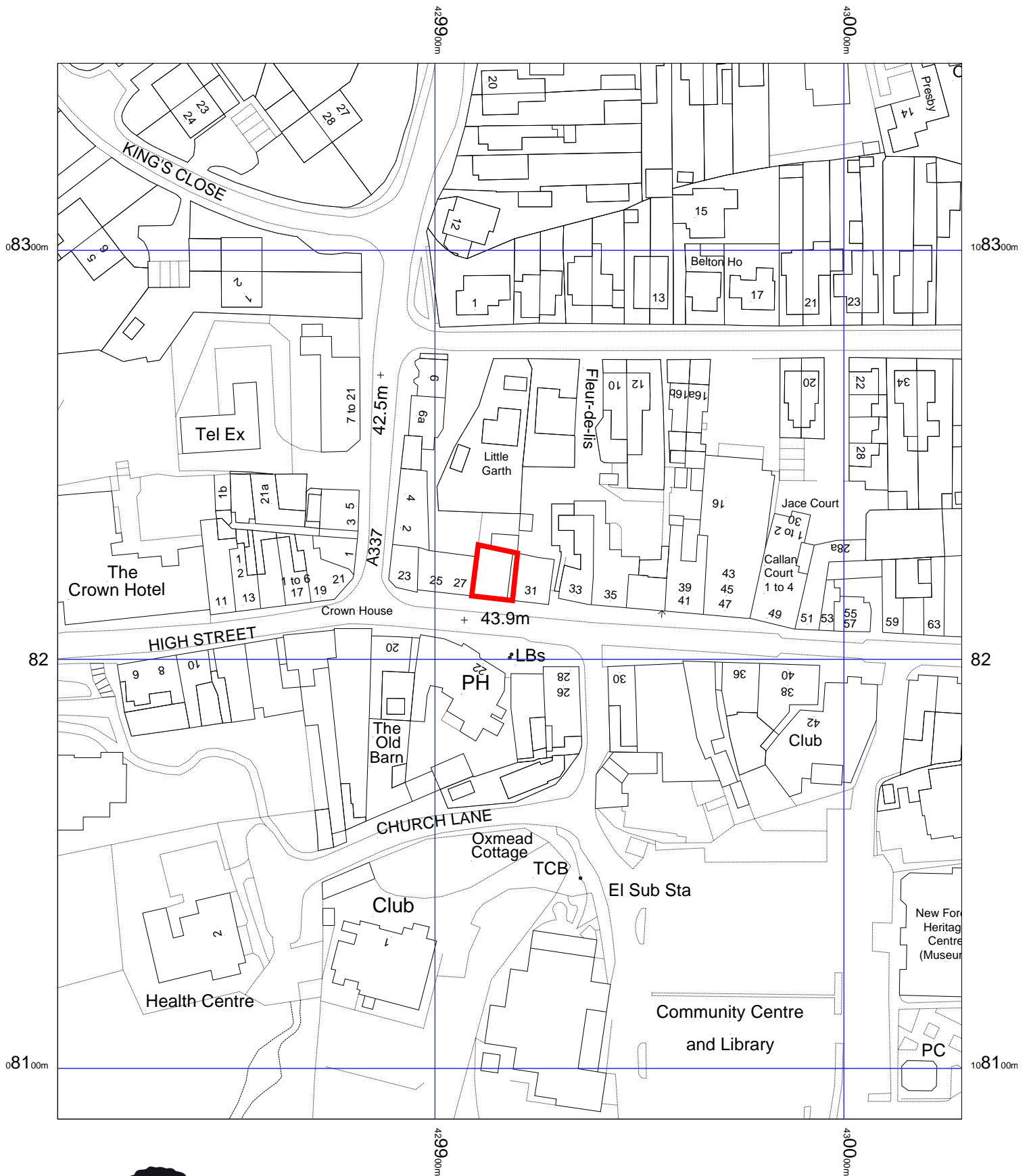
Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. To ensure that the proposal may proceed as sustainable development, there is a duty upon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

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

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

5. 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).



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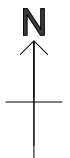
Tel: 01590 646600 Fax: 01590 646666

Date: 06/03/2025

Ref: 24/01379FULL

Scale: 1:1250

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Application No: 24/01453FULL Full Application

Site: Moor Cottage, Setley Lane, Setley, Brockenhurst SO42 7UG

Proposal: Single storey side extension; demolition of existing conservatory

Applicant: Ms J Maybank

Case Officer: Joshua Dawes

Parish: Brockenhurst Parish Council

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. POLICIES

Principal Development Plan Policies

DP2 General development principles

DP18 Design principles

DP36 Extensions to dwellings

SP6 The natural environment

SP15 Tranquillity

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

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

Concerns for light pollution in opposition to the Local Plan Dark Skies Policy, specifically onto the open forest.

Proposed cladding materials and flat roof not in keeping with the existing dwelling and locality.

5. CONSULTTEES

None required.

6. REPRESENTATIONS

None received.

7. RELEVANT HISTORY

No relevant planning history.

8. ASSESSMENT

Application Site

- 8.1 Moor Cottage is a two-storey detached dwelling constructed of red brick with a slate roof located to the south of Setley Lodge and east of the Filly Inn. The land to the south of the site is designated as SSSI, SPA, SAC and Ramsar.

Proposed Development

- 8.2 This application seeks planning permission for a single storey extension to replace the existing conservatory. The proposed extension would be timber clad with floor length bifold doors on the south and east elevations. The proposed flat roof material would be single ply membrane with flat rooflights. The proposed overall floorspace of the property would see a reduction of 2 square metres.

Consideration

- 8.3 The key considerations in this case relate to Policy DP36; the impact of the proposed design on the character and appearance of the dwelling, its curtilage and the surrounding area; any impacts on neighbouring amenity; and the impact on ecology.
- 8.4 The dwelling is located outside of the defined New Forest village boundary and is not a small dwelling, therefore the 30% floor space constraints contained within Policy DP36 apply. The proposed extension would result in a decrease in the total habitable floor area of 2 square metres. There would be no conflict with Policy DP36 in this respect. Policy DP36 also requires the extension to be appropriate to the existing dwelling and its curtilage. The proposed extension would be 3 metres in height compared to the existing conservatory which has a 2.75 metre ridge height. The extension would be sited largely in the same location as the existing conservatory. This would not result in a significant change in the overall built form of the dwelling. The

extension would be single storey and would not appear inappropriate to the dwelling. As such, the proposed extension is considered to adhere to Policy DP36.

- 8.5 The proposed design of the extension is very simple, being of a rectangular shape with a number of bifold doors. However, this is not considered to detract from the character or appearance of the dwelling or the surroundings due to its position and overall scale and simple form. It is also noted that this proposal would replace an existing conservatory of a standard design. The proposed extension would be constructed with locally sourced Oak timber cladding, which is supported by the Authority's Design Guide as a traditional material. The use of a single ply membrane flat roof is a more contemporary material.
- 8.6 In terms of the impact on neighbouring amenity, given the single storey nature of the proposal, the vegetated boundary treatment and the separation distances, there would be no impact on neighbouring amenity in terms of overlooking, shading or visual intrusion impacts in accordance with Policy DP2.
- 8.7 The Parish Council have raised concerns relating to light pollution onto the open forest which is considered under Policy SP15. The proposed extension would replace a fully glazed conservatory with obscured roofing, with an extension which would have glazed bifold doors and a solid roof with rooflights. The level of glazing provided by the existing conservatory is far higher than that which would be provided by the extension and as such the risk for light pollution decreases significantly. Additionally, the extension would face into the rear garden, which is surrounded by dense hedgerows, therefore limiting any light spill to the garden and not the open forest.

Conclusion

- 8.8 For the above reasons, it is considered that the proposed development would comply with Policies DP2, DP18, DP36, SP15 and SP17 and the National Planning Policy Framework. Therefore, planning permission should be granted subject to conditions.

9. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

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

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

2. Development shall only be carried out in accordance with drawing numbers 1402_P00, 1402_P03 and 1402_P04. 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. No external lighting shall be installed on the site unless details of such proposals have been submitted to and approved in writing by the New Forest National Park Authority.

Reason: To protect the amenities of the area in accordance with Policies DP2 and SP15 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

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

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

Informative(s):

1. The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place.

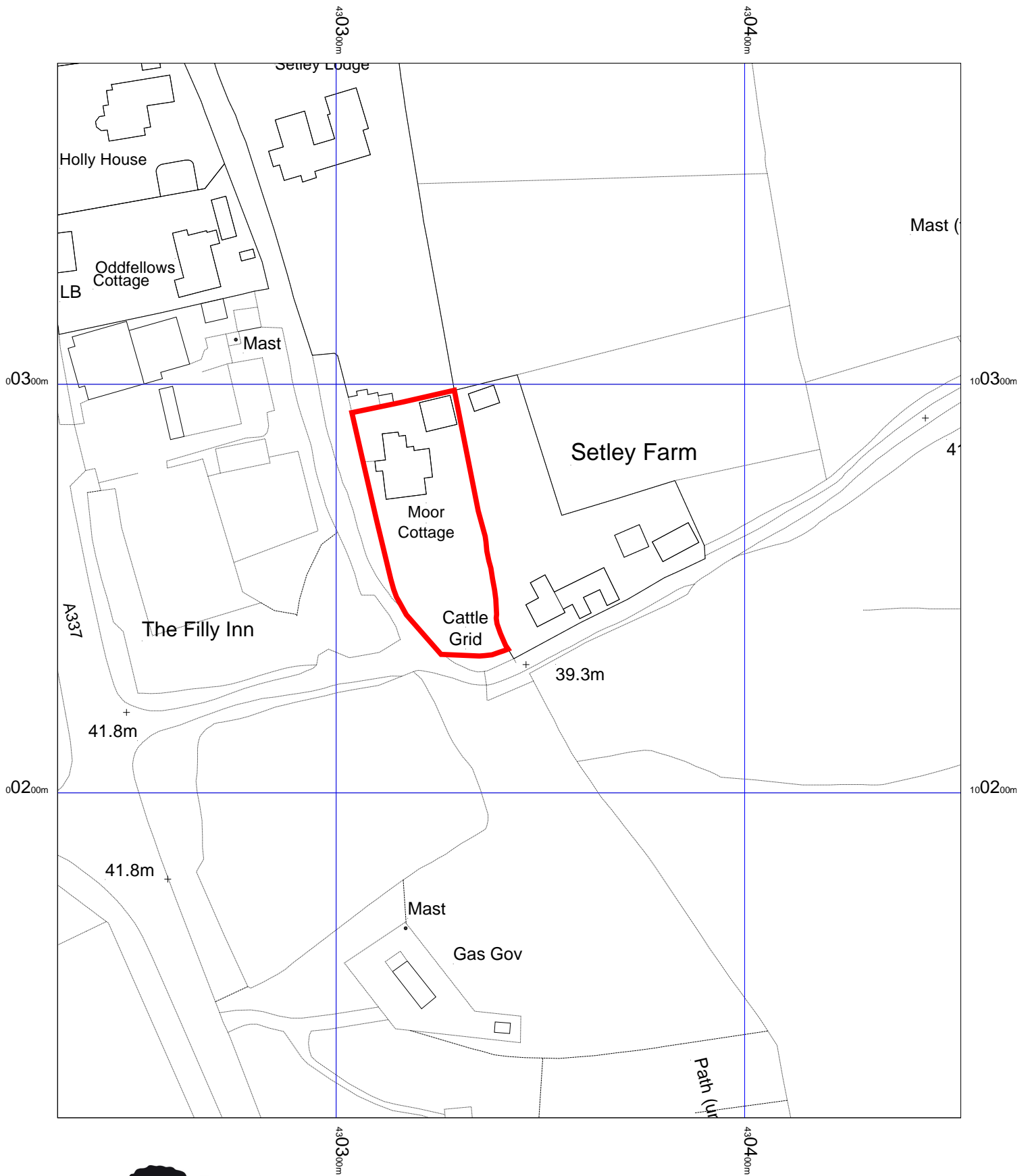
Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested

newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence.

If at any point during construction works any great crested newts are identified, then the following instructions must be strictly adhered to:

Stop all works immediately and leave the area
Inform an ecologist immediately who will provide further guidance / instructions
Do not try to handle or rescue a great crested newt
Do not resume construction works until advised it is safe to do so by an ecologist

It should be noted that if an individual great crested newt is found at any point during the works, a European Protected Species Licence (EPSL) or District Licence (DL) may be required to permit works that would potentially cause disturbance and otherwise commit an offence under the relevant legislation.



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