

Application No: 24/00919FULL Full Application

Site: Spot In the Woods, 174 Woodlands Road, Woodlands,
Southampton SO40 7GL

Proposal: Change of use of existing building from C1 hotel to C3
residential; installation of balustrading to existing first-floor
terraces; removal of faux mono-pitched roof

Applicant: Mr S Parker

Case Officer: Liz Marsden

Parish: Netley Marsh Parish Council

1. REASON FOR COMMITTEE CONSIDERATION

Application which is contrary to the adopted development plan but which is recommended for approval.

2. POLICIES

Principal Development Plan Policies

SP4 Spatial strategy
SP15 Tranquillity
SP17 Local distinctiveness
SP19 New residential development in the National Park
SP21 The size of new dwellings
SP46 Sustainable tourism development
DP2 General development principles
DP49 Re-use of buildings outside the Defined Villages

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

Netley Marsh Parish Council: Recommend permission for the change of

use with the condition that the other, retrospective works be applied for as a separate application. Some of those works may be contrary to policy and the raised terrace was a particular problem.

5. CONSULTTEES

Tree Officer: All tree works have been dealt with through tree work notifications and have been considered reasonable. The site still benefits from a mature stock of trees and there is no objection on tree grounds.

Conservation Officer: From a heritage point of point of view, securing the ongoing care and maintenance of a heritage asset is very important, which is best achieved by securing a use that is compatible with conserving its heritage significance. Often the original use of a building is the best use for it and would secure the long-term re-use of the building together with the character and appearance of the conservation area.

There were original concerns about the removal of the faux pitched roof over the single storey side extension and its replacement with a glazed balustrade. Whilst this was over a modern addition and did not damage or remove any historic fabric, it exposes the large flat roof and the glazed balustrade was considered to be an incongruous suburban feature that was not in keeping with the character of the Victorian building. These concerns have been addressed by the submission of amended plans which would result in the glazed balustrade being replaced with more traditional metal railings.

6. REPRESENTATIONS

Eight letters of objection on the following grounds:

- Proposal has resulted in the loss of a hotel and community facility.
- Loss of employment and detriment to local economy in an area that needs hotels, cafes and restaurants.
- Balcony results in overlooking of the surrounding properties with loss of privacy and residential amenity.
- Trees have been removed.
- Light pollution due to significant level of external lighting.
- Football pitch been created with more trees removed resulting in noise and disturbance.
- The grand 'manor house' design is not in keeping with the character and appearance of the area.
- The works are retrospective and it is not understood how they could have been allowed to continue.
- The reasons for the refusal of the previous application are still valid.
- Will set a precedent for other similar proposals is the National Park.

- There have been no retrospective applications for a new side extension, astro-turf pitch, fencing and excessive external lighting.
- Adverse impact on local wildlife.
- Lawn/football pitch has been used as a helipad.

Five Letters of support or comment on the following grounds:

- Apparent that the building was falling into disrepair and was not being maintained due to lack of funds and that the hotel business was not viable.
- The use as a well-maintained single dwelling is preferable to its ownership by a corporation that has no interest other than financial.
- The building has already been significantly repaired and refurbished and, given its historic significance, its use as dwelling is preferable to it falling into disrepair, like Lyndhurst Park Hotel.
- The building is more likely to be well-maintained rather than become derelict or used for more extreme and damaging business models in an effort to stay afloat.
- The hotel use was noisy, particularly at weekends with functions and loud music throughout the day and the proposed use is a benefit to the tranquillity of the area.
- The loss of the hotel will have negligible impact on hotel capacity in the area.
- Smaller hotels increasingly unviable and several have been given permission for change of use to residential.
- Will reduce competition for nearby hotel and other tourist accommodation in the area.
- There are already a number of commercial properties in the area that result in increased road traffic.

7. RELEVANT HISTORY

Change of use to a residential dwelling and associated curtilage (23/01027) refused on 19 December 2023.

5 no. shepherds huts; associated works (20/00047) granted on 31 March 2020.

Erection of building to provide additional 5 bedrooms, office and meeting room (Extension of time limit to implement planning permission reference 94785) (13/98254) granted on 10 April 2013.

Erection of building to provide additional 5 bedrooms, office and meeting room (09/94785) granted on 06 July 2010.

Retention of Shed, Fence and Ducting; Proposed Air-Conditioning/Heating Unit; Acoustic Screen and Fencing (08/92734) granted on 23 May 2008.

New pitched roofs; external cladding; verandah; first floor terraces; alterations to pool room (07/91411) granted on 29 May 2007.

New pitched roofs; external cladding; veranda; first floor terraces (06/90833) granted on 13 December 2006.

Single storey extensions; conservatory and pool enclosure - extension of time limit on planning permission 63476 (03/78067) granted on 23 June 2003.

Ground floor addition (NFDC/96/60285) granted on 24 December 1996.

Single storey extensions, conservatory & pool enclosure (93/51405) granted on 09 March 1993.

Enclosing of swimming pool addition of games room/walkway/extension of dining room (NFDC/87/35828) granted on 18 January 1988.

Extension to dining room/lounge/en-suite shower room and office. (NFDC/87/33758) granted on 03 March 1987.

Addition of reception room and toilets (74/01719) granted on 01 October 1975.

Swimming pool with changing rooms and plant room (NFDC/74/00992) granted on 14 October 1974.

2 storey extension to hotel and erection of double garage. (NFDC/74/00470) granted on 11 July 1974.

8. ASSESSMENT

Application Site

- 8.1 The application site relates to 'Spot in the Woods' (formerly Hotel Terravina) a former well-established hotel sited within the Forest North East Conservation Area which has been identified as a non-designated heritage asset (the site is on the Authority's published 'Local List' of non-designated heritage assets). It is set on a corner plot, the boundaries of which are lined with trees. The position of the main building is towards the northeastern corner of the site, close to the rear boundary, with a lawn area to its side extending towards Woodlands Road along the western boundary.

Proposed Development

- 8.2 The application seeks consent for the change of use of the property to a single residential dwelling together with the creation of a larger first-floor terrace above an existing flat roof. Substantial works have already been carried out to the building (including the terrace) and its grounds following

the purchase of the property by the applicants, during the consideration of the previous application for its change of use. That application was refused in December 2023 on the grounds that it was contrary to policies for the creation of new dwellings, the loss of the hotel and the lack of information to demonstrate that the continued hotel use was not viable.

The key considerations that the current application will be considered against include:

- The implications for Policy SP46, which seeks to retain existing serviced visitor accommodation where it contributes to the sustainability of the community. The application includes a viability assessment;
- Whether a new dwelling of the size proposed would be justified in this location;
- Any impact on the surrounding conservation area; and
- Any impact on neighbour amenity.

Consideration

- 8.3 It is noted that the building was originally a single private dwelling. However, given the length of time that has elapsed (approximately 100 years) since it has been in that use, it is not considered that this is a material consideration in the determination of the application which is assessed against currently adopted policies. The site is located within the open countryside where the provision of new residential properties is restricted by the criteria of Policy SP19 and the proposal does not fall within any of these criteria (it is not within a housing allocation or defined New Forest Village and is not for affordable housing or required for agricultural, estate workers or New Forest Commoners). The size of the dwelling would also be larger than would be acceptable under Policy SP21 for a new dwelling (a maximum of 100 square metres). Furthermore, Local Plan Policy SP46 relates to sustainable tourism development and seeks to retain existing serviced accommodation, where it contributes to the sustainability of the local community.
- 8.4 In the light of the above and the identified conflict with the development plan policies, it must therefore be assessed whether there are any circumstances that would justify a departure from these policies. In the consideration of the previous application, a considerable amount of information was provided by the owners of the site at the time that the application was made to demonstrate that they were unable to operate the hotel as a viable operation due to the restricted size of the hotel, a change in the requirements of guests and increased competition from alternative forms of tourist accommodation. However, that information was not considered to be relevant to the current applicants who purchased the property during the application process and could potentially have run the hotel as a going concern with a different business model and in the absence of any evidence to support a departure from policy, the application was refused in December 2023. Reason for refusal 2 stated, "The information provided with the application is insufficient to demonstrate that the hotel use

could not be operated as a viable business or provide other development opportunities for business and employment purposes."

- 8.5 Since the purchase of the property, the applicants have not sought to run the property as a hotel, rather spending a considerable amount of time and money in extensive works to the building to resolve problems caused by water damage from leaks in the roof and rotting timbers. It is not therefore possible for them to claim that they have personal experience as to whether the hotel use could be made viable. However, an assessment has been carried out by Savills which has considered the viability of the proposal both in respect of the business model purchased by the applicant, using the historic trading information provided with the previous application, and in its current form, trading under a reasonably efficient operator. The assessments have been made with reference to the trading Earnings Before Interest, Tax, Depreciation and Amortisation (EBITDA) and viability is based on the ability of the business to deliver a positive EBITDA.
- 8.6 The assessment concludes that when the performance of the business is considered trading under a reasonable efficient operator, the small scale of the overall business inhibits its ability to absorb market shocks or cost increases and remain viable. A variety of scenarios were run, exploring the effect of decreasing costs where possible, but, even with a reasonably efficient operator, the business had very limited profitability, and not to an extent which would provide a commercial incentive to pursue the operation. When the operation was stress tested against falling occupancy, falling room rates or increasing core costs, there was no possibility that the operation could remain profitable or viable. The report concludes that the hotel would not be viable in its current form as a hotel or hospitality offering. It should perhaps be noted that there have been a number of other, similarly small-scale, hotels and guest houses within the National Park that have also found it unviable to continue to trade and where permission has been granted for their conversion to residential properties.
- 8.7 In terms of the size of the property, it is recognised that the dwelling would be significantly larger than would be acceptable under Policy SP21, based on its floorspace. The fact that it was originally a single dwelling, is also considered to be irrelevant due to the considerable period of time that has elapsed since it was used as such. However, should it be accepted that the hotel use is not viable and cannot be made so, then the residential use of the property is viewed as preferable, in this case, to alternative commercial uses which would generate a higher level of vehicular traffic movements. The site is located outside a defined New Forest village and therefore its subdivision into smaller, policy compliant, dwellings would not generally be acceptable and would have a greater impact on the historic asset as well as the character and appearance of the site and surrounding conservation area, should the garden also be divided. In these site-specific circumstances, it is not considered that an objection to the proposal based on the size of the property could be sustained.

- 8.8 The impact of the proposals on the locally listed building must also be taken into account and, as set out in the Conservation Officer's comments, securing the on-going care and maintenance of a heritage asset is very important and best achieved by a use that it is compatible with conserving its heritage significance. The change of use to a dwelling would serve to secure its long-term use, protection and maintenance of the historic building, as supported by Policy SP16. Concerns were raised about some of the works that had been carried out, most notably the removal of the faux pitched roof over the single storey extension to the south of the building and its replacement with a glazed balustrade. Not only did this reveal the full extent of the flat roof that the faux pitch sought to conceal, but the glazing was considered to be an incongruous suburban feature that was not in keeping with the quality or character of the Victorian building. Amended plans have been received which propose an alternative means of enclosure around the flat roof/terrace in the form of metal railings, painted black, which would be more traditional and would not significantly or adversely affect the character and appearance of the heritage asset.
- 8.9 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. In this case, the change of use of the building, where it has not been extended, does not result in an increased visual impact on the surrounding area. The most visible part of the alterations (the glazed balustrade) is to be replaced with a more appropriate design, recessive black railings rather than the reflective glazing and would be less intrusive overall. The site is surrounded by trees and, whilst some of these have been removed (with the consent of the NPA Tree team), there are sufficient remaining to ensure that the building is not unduly intrusive in or detrimental to the character and appearance of the conservation area.
- 8.10 In terms of impact on neighbour amenity, the objections that have been raised relate primarily to the noise and disturbance arising from the extended period over which works have been carried out to the building and the site, together with loss of privacy through overlooking from the extensive first floor terrace, and light pollution. To take first the overlooking point, the terrace is located on the southwestern side of the building and the nearest point of the terrace to the boundary of any adjacent property is a minimum of 37m – this would be a very restricted view from the northeastern corner of the terrace looking north along the rear of the building or from the northwestern corner, leaning out beyond the corner of the building. From both of these vantage points, any view of the neighbouring dwelling (which is a further 14m from the boundary) would be obscured by trees along the northern boundary of the site. Other properties are further away and views would again be restricted by trees, not only on the application site but also along their boundaries. Given these distances and the level of screening, it is not considered that it would be possible to sustain a reason for refusal on the grounds of loss of privacy through overlooking.

- 8.11 Other objections relate to the noise and disturbance from the works carried out, together with noise from the use of the astroturf pitch that has been installed in the northwestern corner of the site and excessive external lighting causing light pollution. In terms of the noise, it is to be hoped that arising from the works to the building has now ceased. The football pitch is used by the applicants' children and the noise generated would be in line with the use of a residential garden by the family and, given some of the comments made by neighbours about the noise arising from functions at the hotel, is not considered to be any more detrimental to amenity. Rather, it is possible that the change of use to a single residential property could reduce the level of activity on the site and hence the potential for adverse impacts through noise and disturbance and would certainly generate fewer vehicle movements from guests, staff and deliveries.
- 8.12 The proposal would result in a new residential dwelling and therefore would usually require the provision of measures to mitigate the in-combination recreational impacts of the development on the New Forest and Solent ecological designations (Special Protection Areas, Special Areas of Conservation and Ramsar sites). However, as the proposal would result in a single dwelling, albeit sizeable, there would be a net reduction in the overall level of occupation and consequent recreational impacts. It is not therefore considered that there would be any increase in impact on the ecological interests of the nearby New Forest and Solent protected sites or conflict with the Habitats Regulations. In addition, the potential impact on water quality in the Solent's internationally designated sites are to be considered for applications result in a net increase in overnight accommodation. As the number of bedrooms is not to increase - and with the removal of the shepherd's huts would actually decrease- the water quality impacts relating to nutrients do not require further assessment.
- 8.13 A number of other issues have been raised in the letters of objection, including works that are said to have been carried out without any planning permission, including inappropriate lighting, the provision of an astroturf football pitch and new fencing. Reference is made to extensions to the rear or side of the property, though it has been confirmed by the applicant's agent that there have been no additions made to the building, other than those specified in the application. This is borne out by the comparison of the existing/proposed floor plans against plans provided with previous applications. The other works to the building, including any internal alterations or repair work, would not be considered to be development requiring planning permission. Works in the grounds of the site, such as the laying of the astroturf pitch, could be carried out as permitted development within a residential curtilage, subject to ensuring that the surface was permeable or that any runoff water did not affect the adjacent road. However, as hotel uses do not have similar permitted development rights and this aspect of the works that has been carried out does not form part of the application under consideration, it would be necessary to require a further application for these works if the application is not permitted. Should the application be approved, it would still be reasonable to request information about the construction of the pitch in order to ensure that there

is no issue with surface water runoff. The occasional use of the site to land a helicopter does not require planning permission. Fences, up to 2m in height, can be constructed as permitted development where they are not adjacent to a road and, in this case, the fence has been set back from the road behind the trees on the boundary.

- 8.14 The use of external lighting has also been raised as an issue, both in terms of lighting on the buildings and uplighters illuminating some of the trees within the garden. It is understood that at least some of the lighting (including the uplighters) was in place prior to the applicants purchasing the site, but there is no information about the extent of lighting that is currently in place. Since the lighting requirements of a dwelling are considered to be less than that of a hotel, it is considered to be reasonable to include a condition requiring a lighting strategy to be agreed with the Authority in order to ensure that the installed lighting is appropriate and would not have an adverse impact on the dark skies of this rural area or its ecology.

Conclusion

- 8.15 The change of use from a hotel to a single residential dwelling does not accord with all policies of the Local Plan. However, in this case, it is not considered that it would be possible to sustain an objection to the loss of tourist accommodation and there is policy support for the proposal in terms of its benefit to the long-term maintenance of the heritage asset and a reduction in the overall level of activity on the site. In these site-specific circumstances, the application is recommended for permission.

9. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

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

DR1 - Location plans

100 - Block plan

101 Rev. P1 - Site plan

103 Rev. P3 - Proposed first floor and roof plan

104 Rev. P3 - Proposed 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).

2. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as amended) and the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any subsequent re-enactment of these Orders, the building the subject of this permission shall be used for the purposes of Class C3 (residential) and for no other purposes whatsoever, without express planning permission first being obtained.

Reason: In the interests of the amenity of nearby properties in accordance with Policies DP2 and SP15 of the New Forest National Park Local Plan 2016-2036 (August 2019).

3. Within three months of the date of this permission, a lighting strategy with details of all existing and proposed external lighting installed or to be installed on the site shall be submitted to and approved in writing by the New Forest National Park Authority. No additional lighting, other than that approved, shall be installed without specific planning permission having been granted.

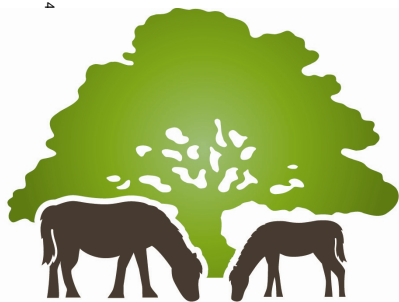
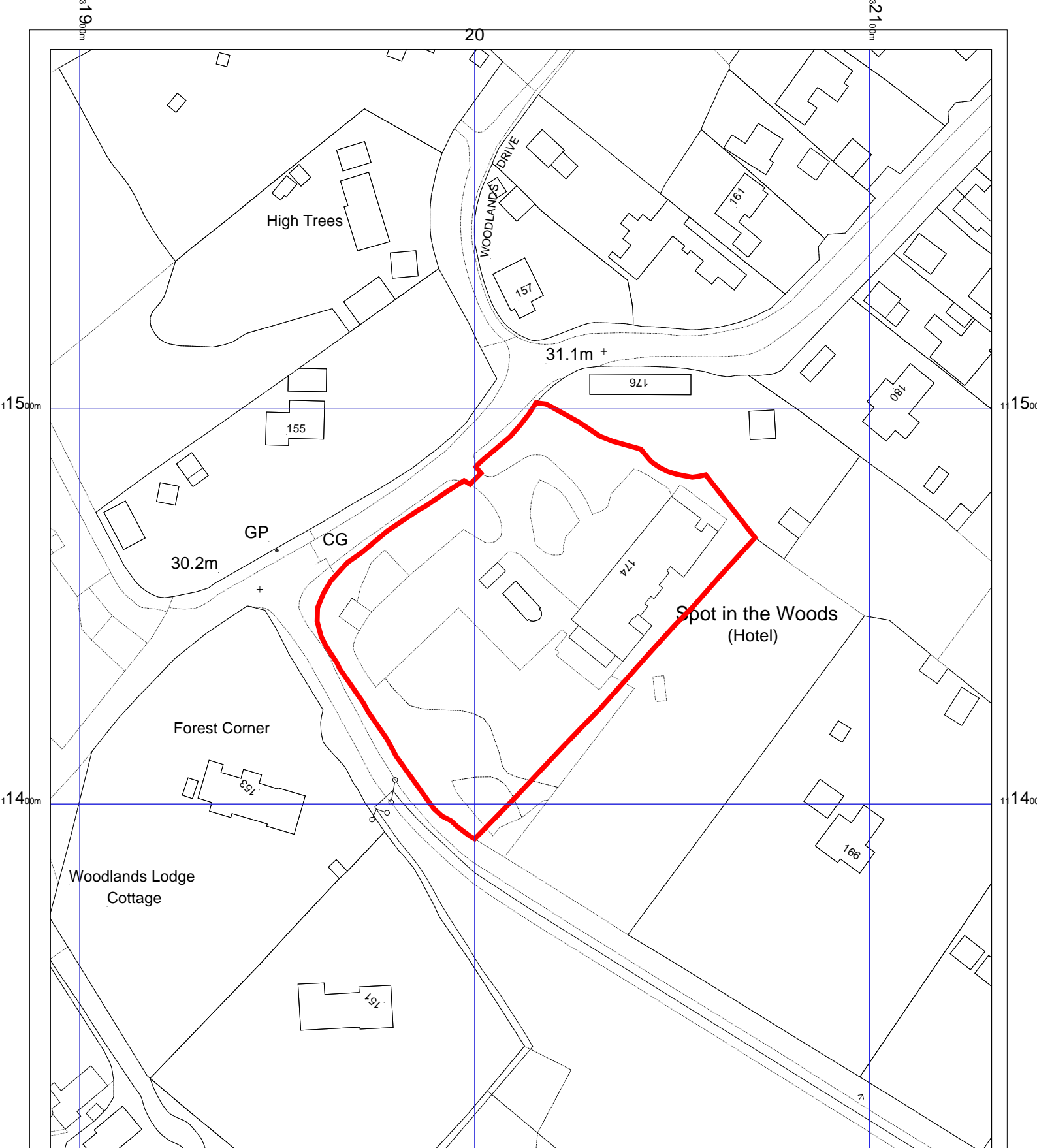
Reason: To protect the amenities of the area in accordance with Policies DP2, SP6 and SP15 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

4. Within three months of the date of this permission, details of the proposed railing balustrade, including the colour, shall be submitted to and approved in writing by the New Forest National Park Authority. The works to replace the existing balustrade shall be carried out no later than three months from the date that these details are 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).

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

Reason: In order to control any future extensions to the property and in the interests of amenity.



**NEW FOREST
NATIONAL PARK**

New Forest National Park Authority
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Date: 09/05/2025

24/00919FULL

SCALE: 1:1250

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Application No: 24/01338FULL

Site: Harry's Field, Abbotswell Road, Frogham, Fordingbridge, Hampshire SP6 2JA

Proposal: Use of land and buildings as a seasonal campsite for 50 pitches (including 8no. bell tents) for no more than 52 days in a calendar year (ADDITIONAL INFORMATION PROVIDED)

Applicant: V Sheriff

Case Officer: Ben Gilpin

Parish: Hyde 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

SP5 Nature conservation sites of international importance

SP6 The natural environment

SP7 Landscape character

SP15 Tranquillity

SP16 The historic and built environment

DP47 Extensions to holiday parks and camp sites

Supplementary Planning Documents

Hyde Parish Village Design Statement SPD

Habitat Mitigation SPD

Other

Planning Guidance Note- applications for temporary camping uses (updated April 2025)

NPPF

Sec 2 - Achieving sustainable development
Sec 6 – Building a strong, competitive economy
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

Hyde Parish Council: Recommend refusal:

- The proposal does not comply with Local Plan Policies SP5, DP2, SP15, DP18, SP46, DP47 and SP55. The site is within 400 metres of a SAC, SPA and Ramsar, makes a limited contribution to local community (site is operated as a standalone business with its own shop, café facility and numerous licenses for sale of alcohol, thereby detracting away from other local businesses), no environmental benefit, no public transport, visitors all using cars with no alternative option.
- Query the total number of pitches with the addition of 8 bell tents and an additional bell tent in the garden of Polmear.
- Considerable impact on the protected SSSI, with parking on the verges outside the property. Part of the SSSI has been gravelled over.
- The Authority can only approve further development if it can ascertain that it will not affect the integrity of the protected sites following appropriate assessment. This site can clearly not be demonstrated as having no detrimental effect with over a possible 200 people a day using the forest for up to 60 days.
- Article 4 is there to protect the integrity of the Forest and proposed sites should comply. This site clearly does not comply and there is no evidence in any documentation to support its compliance.
- Significant disruption to local residents, lack of evidence/ justification for the proposed extension; area well catered for with regard to campsites; site not complying at present for 28-day use; use of fire pits is a wildlife risk.
- The management plan adds nothing positive to the application, it does not change Parish view stated in original comments on 22 January

2025. Past experience leads Parish to believe that effective management at the site has proved to be lacking. The Sandford Principle must be given priority.

(This is a summary of the Parish Council's comments; their full response is available to view online).

5. CONSULTEEES

Ecologist: Comments in relation to recreational disturbance, mitigation of nutrient impacts and urban effects. Recommends amendments to the appropriate assessment to reflect the comments. Overall, no objection on designated site grounds.

Natural England: Further information required to determine impacts on designated sites through an appropriate assessment of nutrient and potential recreational impacts on designated sites. Further comments awaited on appropriate assessment.

Local Lead Flood Authority: No objection.

Highway Authority (HCC): No objection.

Environmental Health (NFDC): Comment. Having reviewed the proposed Management Plan, it is noted that the plan lacks detail in a number of areas relating to the prevention of nuisance impacts. Consideration should be given to the following points if such a plan is to form the basis of a condition for any granted permission:

- Impacts from anti-social behaviour (inc. shouting, swearing etc) need to be considered.
- Noise impacts from children, large groups of people and dog barking should be included.
- The noise curfew should also be extended to cover the morning period e.g. until 08:00am.
- A procedure for dealing with complaints should be clearly outlined, including details of the action to be taken for any non-compliance of the site rules.
- A restriction on the number of fire pits should be specified.
- A monitoring plan for the use of fire pits should be included to ensure that smoke does not adversely affect neighbouring properties.

Planning Policy: Comment. Subject to it being clarified that neither the Holdenhurst or Trowbridge wastewater treatment works are within nutrient-affected catchments; and evidence being provided that the proposed method of collection for wastewater is in place, the applicant's proposals for addressing water quality impacts for application 24/01338 are considered to be acceptable.

Building Design and Conservation Officer: No objection.

Due to the temporary nature of the site, there is no objection from a heritage perspective.

Go New Forest: Support.

Seasonal camping remains a critical component of the local economy and tourism. Demand continues to outstrip supply during the summer months, especially in the northern part of the New Forest District.

It is important to acknowledge that house prices in the New Forest are the highest of any National Park in the country. Camping is a low-cost accommodation option that helps visitors connect with the special landscape of the Forest and the flora, fauna and animals which makes this area so unique.

Planning consent will allow people to make memories at Harry's Field which will inspire visitors to protect the environment and preserve it for future generations.

6. REPRESENTATIONS

22 representations of objection on the following grounds:

- Impact on neighbouring amenity;
- Impact on protected sites;
- Anti-Social Behaviour; and
- Non-compliance with policy.

7. RELEVANT HISTORY

Application for Approval pursuant to Regulations 75 - 78 of the Conservation of Habitats and Species Regulations 2017 (as amended) for proposed temporary use of land under Part 4 Class BC of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for not more than 28 days in total as a temporary tented campsite for up to 45 pitches in the 2025 calendar year (25/00287PAHR) approved on 09 May 2025

Application for Approval pursuant to Regulations 75 - 78 of the Conservation of Habitats and Species Regulations 2017 (as amended) for proposed temporary use of land under Part 4 Class BC of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for not more than 28 days in total as a temporary tented campsite for up to 45 pitches in the 2024 calendar year (24/00477PAHR) approved on 18 June 2024.

Application for Approval pursuant to Regulations 75 - 78 of the Conservation of Habitats and Species Regulations 2017 (as amended) for proposed temporary use of land under Part 4 Class B of the Town and

Country Planning (General Permitted Development) (England) Order 2015 (as amended) for not more than 28 days in total as a temporary tented campsite for up to 45 pitches in the 2023 calendar year (23/00594PAHR) approved on 16 July 2023.

National Park-wide Article 4 Direction confirmed on 12 February 2024 withdrawing permitted development rights within Class BC of Part 4 of Schedule 2 (unless temporary campsite in first use prior to March 2020 and limited to no more than 28 days a year).

National Park-wide Article 4 Direction confirmed on 17 October 2023 withdrawing permitted development rights for temporary campsites within Class B of Part of Schedule 2 (unless in first use prior to March 2020 and limited to no more than 28 days a year).

8. ASSESSMENT

The Application site

8.1 Harry's Field is situated on the north side of Abbotswell Road, to the east of the Foresters Arms public house in Frogham. The site comprises 1.53 hectares of grassland and lies within the Western Escarpment Conservation Area, occupying an enclosed position, with residential properties to the southeastern, southwestern and northwestern corners. Land to the north and east is in agricultural use. The site makes use of a point of access from the public highway, from Abbotswell Road as the main access to the site

8.2 The site is circa 80m north of the New Forest Sites of Special Scientific Interest (SSSI) and New Forest Special Area of Conservation (SAC), and circa 380m west of the New Forest Special Protection Area (SPA).

Proposed development

8.3 The National Park-wide Article 4 Direction (February 2024) removes permitted development rights for temporary campsites as detailed above. However, it should be noted that, as a campsite which operated prior to 2020, Part 4 Class BC permitted development rights can still be exercised for up to 50 pitches for 28 days per calendar year and the relevant notifications have already submitted. The application proposes 50 pitches over 52 days, including the provision of 8 bell tents. This represents a reduction from the 60 days originally proposed and conforms to the nationally permitted 50 pitches/60 days that landowners benefit from.

8.4 The application is accompanied by a number of supporting documents that include a Planning Statement (incorporating Design, Access, Heritage and Landscape), Transportation Statement,

Management Plan, Extended Phase 1 Ecological Assessment, Surface Water Drainage Statement and Sustainability Statement.

8.5 The Campsite Management Plan includes conditions for users in terms of noise nuisance and its management, fire and BBQ policies, New Forest Code compliance and ecology and site sustainability commitments. No external lighting is provided or allowed (only torches are permitted).

Consideration

8.6 The key issues for consideration are:

- The principle of development;
- Landscape and heritage impacts;
- Ecological and recreational impacts;
- Highway and access impacts; and
- Impacts on the local community (residents and businesses).

Principle of Development

8.7 The Government has deemed (as a matter of principle) that 60-day campsites, up to 50 pitches, are generally acceptable across the country (including National Parks) – hence the introduction of the new permitted development right in July 2023. The Authority's subsequent Article 4 Direction removes this permitted development right to ensure that temporary campsites in the National Park are properly planned. As set out in national planning policy guidance¹, "...an article 4 direction only means that a particular development cannot be carried out under permitted development and therefore needs a planning application. This gives a local planning authority the opportunity to consider a proposal in more detail."

8.8 To assist the determination of applications for temporary campsites caught by the Article 4 Direction, the Authority approved a Planning Guidance Note, which was updated last month to reflect the new habitat mitigation payments for New Forest and Solent recreational impacts.

8.9 The Guidance Note is a material consideration and sets out the relevant planning considerations that will apply. It makes it clear that the Authority will only consider the grant of planning permission for up to 50 pitches for up to 60 days in any one calendar year. Any proposals in excess of these thresholds will be determined against Local Plan Policy DP47 which does not permit new campsites (unless they are to enable the removal of pitches from more sensitive areas).

¹ [When is permission required? - GOV.UK](https://www.gov.uk/guidance/when-is-permission-required)

8.10 As this proposal is for 50 pitches / 52 days it needs to be assessed against the relevant considerations set out in the approved Planning Guidance Note.

Landscape and Heritage Impacts

8.11 The site is located within the Western Escarpment Conservation Area, as well as being identified as being in the Landscape Character area (LCA) 21 – Northern Heathland and Forest (Frogham falls within sub-section 'Ancient Forest Farmlands'). The campsite is, and would continue to be, located on land that has a long-standing use as a seasonal camp site. The seasonal camping use of the site pre-dates the designation of the conservation area in 2008 by several decades.

8.12 With regards to the landscape issues identified that affect the Ancient Forest Farmlands, they are listed as: varying levels of grazing on New Forest Lawns; lack of hedgerow management; modern development out of keeping with local vernacular styles; and use of unsympathetic close-board fencing around properties.

8.13 In this case, the use of the land for a temporary period during the calendar year, for a three-year period would have no effect on, or contribute to, the identified issues of concern that would otherwise damage the landscape in this area. This proposal is for a short-term seasonal use and does not involve permanent built infrastructure.

8.14 In view of this, the use of the land, as identified, is not considered detrimental to the wider LCA.

8.15 In terms of heritage impacts, the effect of the seasonal camping use on the character and appearance of the conservation area is also an important consideration. Due consideration has been given to Section 16 of the NPPF, Section 66 of the 1990 Act and Policies DP2 (General Development Principles), Policy SP16 (Historic and Built Environment), Policy SP17 (Local Distinctiveness) and DP18 (Design Principles) of the adopted Local Plan and the Design Guide SPD (2022). In the context of the site and in light of the temporary nature of the proposed use, it is not considered that the short-term use of the site for camping would impact the character or appearance of the conservation area. The Western Escarpment Conservation Area was designated in March 2008 with the seasonal camping use of the site in existence. The proposal is considered to accord with Local Plan Policies SP7 and SP16.

Ecological and Recreational Impacts

8.16 Local Plan Policy SP6 seeks to protect and enhance habitats and species of biodiversity importance. The application site itself is not subject to any nature conservation designations and the proposal would not result in any direct habitat loss.

8.17 The application site is located within 400m of the New Forest SAC (80m to the south) and the New Forest SPA (380m to the east). The Guidance Note sets out that the Authority will not support any new temporary campsites (established post 1 March 2020) or extensions to existing sites within 400m of the European designated sites due to concerns over impacts on site integrity from urban edge effects. However, in this case, it is noted that the site has been in use for temporary camping and caravanning for over 60 years. The applicant is also able to rely on the fallback position of using the site for 28 days (without any further planning controls or conditions) as well as utilising the site for caravan rallies (unlimited numbers). These fallback positions are material and should be given weight in the planning balance.

8.18 The supporting information accompanying the application details the mitigation and management measures to be applied to the site which includes making visitors aware of the New Forest Code; providing comprehensive maps and guidance on the use of public footpaths and cycle-paths, a “zero light pollution” policy.

8.19 The Authority has undertaken an Appropriate Assessment as to whether granting temporary planning permission would adversely affect the integrity of the New Forest and River Avon European sites in view of the sites’ conservation objectives. The assessment concludes that proposed development would, in combination with other developments, without mitigation, have an adverse effect due to the recreational impacts and changes to water quality, but that the adverse impacts would be avoided if the planning permission were to be conditional upon securing mitigation in accordance with the Authority’s Mitigation Strategy or mitigation to at least an equivalent effect.

8.20 These measures include a financial contribution to the Authority’s Habitat Mitigation Scheme to address recreational impacts; and having an agreed arrangement in place that wastewater generated by the temporary use will be dealt with by having the foul water tankered off site by a licenced operator to Waste Water Treatment Works which do not discharge treated effluent into the catchment of the River Avon or any other river catchments whose special ecological interest is sensitive to nutrient loading. These measures have been agreed for other temporary campsites operating in the National Park and have support in principle from Natural England.

Highway and Access Impacts

8.21 The site is served by an existing main gated access from Abbotswell Road. No additional access works, or hard infrastructure are proposed. Whilst the roads serving the site are typical of the narrow country lanes in this area, they are considered adequate to safely cater for the additional traffic generated by the temporary campsite use. The submission, including the applicant’s Transportation Statement, has been reviewed by

the Highway Authority who raise no objection to the proposal. Overall, the scheme is considered acceptable from a highway safety perspective.

Impacts on the Local Community (Residents and Businesses)

8.22 Objections have been received that cite impacts on surrounding amenity (of neighbours), from noise, dogs, smoke, and anti-social behaviour. The Environmental Health Officer has suggested measures to manage these impacts, the details of which could be agreed by condition prior to commencement of the camping use this year.

8.23 The concerns of the Parish Council and residents are understood but it is considered that any remaining impacts can be further mitigated through the control measures put forward in the applicant's Management Plan as well as the conditions recommended below. Therefore, it is not considered that the proposal would be sufficiently detrimental to residential amenity as to justify a recommendation for refusal.

8.24 Go New Forest have commented that seasonal camping remains a critical component of the local economy and tourism, providing a low-cost accommodation option that helps visitors connect with the special landscape of the Forest and the flora, fauna and animals which makes this area so unique. In terms of economic benefit, it is not unreasonable to assume that campsite guests would visit local shops and pubs during the temporary period of the proposed use.

Conclusion

8.25 Notwithstanding the site's location in relation to the European designated sites, the proposal is considered to meet all the other requirements set out in the Authority's approved Planning Guidance Note 'Applications for temporary camping uses'. As set out above, an appropriate assessment has been undertaken of the potential impacts of the temporary use on the integrity of the New Forest and River Avon European sites which concludes that, subject to securing mitigation, there will be no adverse impacts. As per the Guidance Note, the permission, if granted, would be temporary and limited to three years only. The use of the site and compliance with the conditions will be actively monitored (and if necessary enforced) during this period. The applicant therefore has a clear incentive to adhere to the planning conditions and to operate a well-run, low impact temporary campsite, especially should she wish to renew the permission at any time in the future.

9. RECOMMENDATION

Subject to the receipt and consideration of Natural England's comments, grant temporary planning permission subject to conditions:

1. The use of the land hereby permitted shall cease on or before 20 May 2028 and the land restored to a condition which has first been agreed in writing by the New Forest National Park Authority.

Reason: To enable the Local Planning Authority to review the impact of the seasonal campsite use in light of the circumstances then obtaining.

2. Development shall only be carried out in accordance with the approved plans (DRG001; DRG002; DRG003, LGPS/PP/HFCS/01/01) and the details set out in the accompanying Transportation Statement and Management Plan. No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority. All associated camping activities and facilities including parking, deliveries, mobile catering, picnicking, outdoor play etc. shall only take place within the red line application site.

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

3. Prior to the commencement of development ecological mitigation for the River Avon and New Forest European sites shall be submitted to and approved in writing by the New Forest National Park Authority. The ecological mitigation (for recreational impacts) 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), the Authority's Habitat Mitigation Scheme.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) England Order 2015 (or any re-enactment of that Order) no other camping or caravanning use otherwise approved by Class BC of Part 4 and Classes A and C of Part 5 of Schedule 2 to the Order, shall be carried out without express planning permission first having been granted.

Reason: To ensure that no other form of temporary camping or caravan use takes place on the site in accordance with Policy DP47 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking or re-enacting that order, no access, vehicular or pedestrian, other than that shown on the approved plan shall be formed to the site.

Reason: In the interests of highway safety and to comply with Policy SP55 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019) and Section 9 of the National Planning Policy Framework.

6. No goods, plant, or machinery shall be stored on the site without the express planning permission of the New Forest National Park Authority.

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

7. No external lighting shall be installed on the site.

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 barbeques or wildfires shall be carried out at the site unless details are submitted to and agreed in writing by the New Forest National Park Authority.

Reason: In order to protect the nearby designated sites and residential properties from fire risk in accordance with Policies DP2 and SP5 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

9. No amplified music shall be played in conjunction with the use of the land as a temporary campsite.

Reason: In the interests of the tranquillity of the area and neighbouring amenity in accordance with Policies DP2 and SP15 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

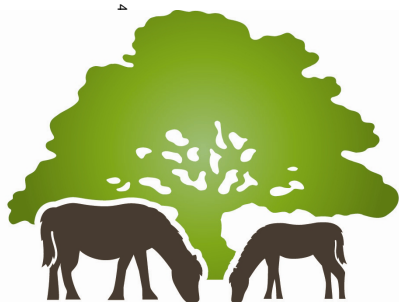
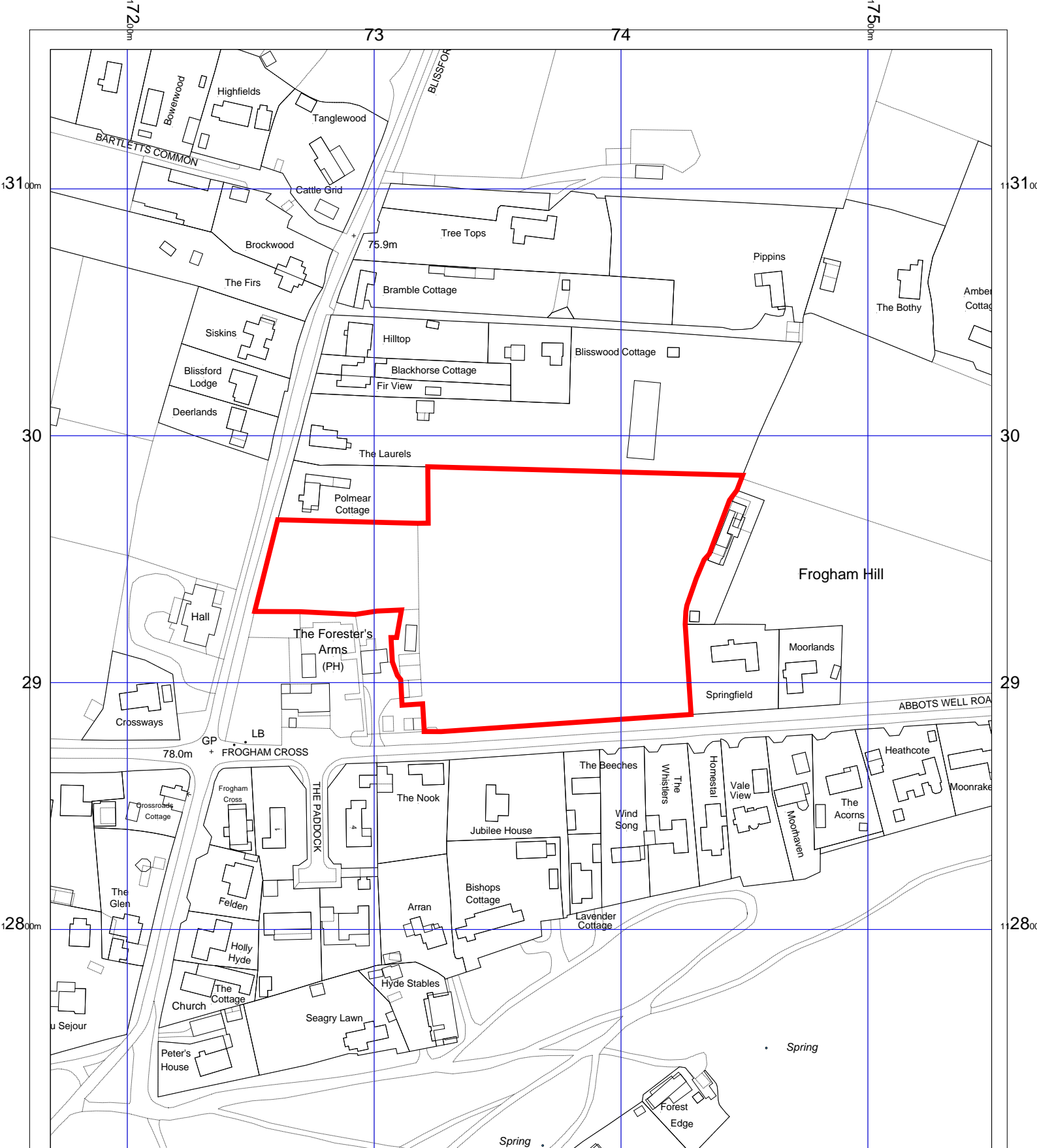
10. All wastewater generated by the temporary use will be dealt with by having the foul water tankered off site by a licenced operator to Waste Water Treatment Works which do not discharge treated effluent into the catchment of the River Avon or any other river catchments whose special ecological interest is sensitive to nutrient loading.

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).

11. Within one month of the date of this decision an updated Management Plan (incorporating the measures recommended by Environmental Protection) be submitted for written approval to the Local Planning Authority.

The approved control measures shall apply at all times unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the residential amenities of adjoining occupiers in accordance with Policy DP2 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).



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