

Application Number: 18/11411 Full Planning Permission

Site: SAMMY MILLER MUSEUM, BASHLEY CROSS ROAD,
NEW MILTON BH25 5SZ

Development: Two-storey extension for museum use (Class D1)

Applicant: Sammy Miller Motorcycle Museum

Target Date: 27/12/2018

RECOMMENDATION: Service Man Planning Grant, subject to conditions
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Case Officer: Richard Natt

1 REASON FOR COMMITTEE CONSIDERATION

Departure from policy

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Green Belt
Countryside outside the New Forest
Adjacent to New Forest National Park

3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Core Strategy

Objectives

- 1. Special qualities, local distinctiveness and a high quality living environment
- 4. Economy
- 7. The countryside

Policies

Core Strategy

CS2: Design quality
CS8: Community services and infrastructure
CS10: The spatial strategy
CS19: Tourism
CS24: Transport considerations

Local Plan Part 2 Sites and Development Management Development Plan Document

DM13: Tourism and visitor facilities
DM22: Employment development in the countryside

4 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Section 38 Development Plan
Planning and Compulsory Purchase Act 2004
National Planning Policy Framework

5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS

SPD - Parking Standards

6 RELEVANT PLANNING HISTORY

- 6.1 Two storey extension (18/10627) Refused on the 28th June 2018
- 6.2 Continued use of two buildings for use as museum store and library (06/99913) granted with conditions 24/11/06
- 6.3 Single storey extension (04/81613) Granted with conditions on the 9th July 2004
- 6.4 Cart shelter (01/72200) Granted with conditions on the 30th July 2001
- 6.5 Addition of a cart shelter (99/68072) Granted with conditions on the 16th February 2000
- 6.6 Change of use of buildings to museum and form wardens accommodation (94/55877) Granted with conditions on the 8th February 1995
- 6.7 Change of use of main building to museum and fenestration changes (94/55231) Granted with conditions on the 4th November 1994
- 6.8 Change of use of redundant farm buildings to B1 use and form new access (92/49578) Granted with conditions on the 19th July 1994.

7 PARISH / TOWN COUNCIL COMMENTS

New Milton Town Council: Strongly support. This development is strongly supported for its recognised importance to the economy and tourism of New Milton and the wider Forest.

8 COUNCILLOR COMMENTS

Cllr Neil Tungate: support.

The Sammy Miller Museum is internationally renowned, and is something in which local residents take pride. We should support it for its excellence as a museum, as an educational facility, and as a local employer. The proposed extension will be all but invisible from Bashley Cross Road because of the many trees screening the site from the western approach, and the existing buildings from the eastern approach.

The Officer Briefing Note rightly notes that policy CS19 is applicable in this case, and we should support the application for its compliance with this policy. I do not believe that the proposal is detrimental to the rural character of the area (DM13), the whole site is fairly well confined and screened or surrounded by fairly major roads.

The Briefing notes that Paragraph 89 of the NPPF says that new construction should be for agriculture/forestry or outdoor sport/recreation or a cemetery. I would suggest that whilst those are laudable aims, they should include educational facilities such as museums. I believe there is a valid exception on those grounds.

Finally, I cannot agree with the officer's suggestion that the extension should be assessed against the buildings that existed before they became a museum. I would argue that we should be assessing against the current buildings. Given that I disagree with the Officer's briefing on several points, I request that this application be sent to the Planning Committee for decision by the elected members

9 CONSULTEE COMMENTS

- 9.1 Hampshire County Council Highway Engineer - No highway objection
- 9.2 Employment and Tourism Manager: The museum is recognised as an important asset to the local visitor economy and important to the area of Bashley/ New Milton. The museum attracts visitors from some distance. It is important therefore that this contribution is recognised and furthermore that the extension on this site will improve the offer and associated spend.

10 REPRESENTATIONS RECEIVED

- 10.1 1 letter of support, on the grounds that the museum is unique in this area as it deals with motorcycle history. The proposed extension would not be overbearing in the context of the other buildings. This museum brings in people from all over the country, and it is good for the local economy.

11 CRIME & DISORDER IMPLICATIONS

No relevant considerations

12 LOCAL FINANCE CONSIDERATIONS

Local financial considerations are not material to the decision on this application

13 WORKING WITH THE APPLICANT/AGENT

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council take a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome.

This is achieved by

- Strongly encouraging those proposing development to use the very thorough pre application advice service the Council provides.
- Working together with applicants/agents to ensure planning applications are registered as expeditiously as possible.
- Advising agents/applicants early on in the processing of an application (through the release of a Parish Briefing Note) as to the key issues relevant to the application.

- Updating applicants/agents of issues that arise in the processing of their applications through the availability of comments received on the web or by direct contact when relevant.
- Working together with applicants/agents to closely manage the planning application process to allow an opportunity to negotiate and accept amendments on applications (particularly those that best support the Core Strategy Objectives) when this can be done without compromising government performance requirements.
- Advising applicants/agents as soon as possible as to concerns that cannot be dealt with during the processing of an application allowing for a timely withdrawal and re-submission or decision based on the scheme as originally submitted if this is what the applicant/agent requires.
- When necessary discussing with applicants/agents proposed conditions especially those that would restrict the use of commercial properties or land when this can be done without compromising government performance requirements.

While the proposed development does not address the concerns raised in the previous reason for refusal, the applicant has made a detailed case for very exceptional circumstances and this has been explored in greater detail in the assessment below.

14 ASSESSMENT

14.1 The site and location

- 14.1.1 The site lies within the designated Green Belt and countryside. The former farm complex of buildings on the site were converted for use as a motor cycle museum in the mid 1990s. The motorcycle museum is now well established and currently occupies an attractive group of brick and tile outbuildings grouped together around a courtyard situated in a rural location to the north west of New Milton.
- 14.1.2 The complex of buildings is predominantly used as part of the museum including its galleries and workshop areas, however there are ancillary tea rooms, toilets and a craft shop. A large car parking area lies to the south of the buildings and includes a children's play area. Following the establishment of the museum, a number of extensions and alterations have been built.
- 14.1.3 The site lies within a prominent location in its setting separated from Bashley Cross Road by a large open paddock. Directly opposite the site is a mobile home park and the land to the north of Bashley Cross Road is in the New Forest National Park. To the west of the site is a large detached dwelling. To the south of the site is a large open field used for arable farming.

14.2 The proposal

- 14.2.1 This planning application proposes to demolish part of the existing single storey building forming the west side of the courtyard and to replace it with a two storey building. The proposed two storey building would be both taller and larger in size compared to the existing single storey building, and the increase in footprint would be to the west and east of the group of courtyard buildings.

14.2.2 The main issues in this case are whether the proposals amount to inappropriate development in the Green Belt, and if so, whether there are any special circumstances sufficient to overcome the presumption against such development, and the effect of the proposed development on the character and appearance of the countryside in the vicinity of the site. The other issue is whether the proposed development would have an unacceptable effect on the living conditions of the adjoining neighbouring property at Bashley Farmhouse.

14.3 Planning history

14.3.1 There is extensive planning history to the site which is described in greater detail below. The most relevant is set out below.

14.3.2 Planning permission was recently refused for a two storey extension at the museum under reference 18/10627. The proposal was for a very similar proposal to this current planning application. The application was refused on the grounds that by reason of its size, scale, form and unsympathetic design, the proposed extension would unacceptably detract from the traditional form, integrity and character of the existing group of buildings and would result in a disproportionate extension over and above the size of the original buildings, to the detriment of the character and appearance of this rural countryside setting and thereby also resulting in a visual reduction in the openness of this part of the Green Belt. As such, the proposed extension would have constituted inappropriate development in the Green Belt, which is, by definition, harmful to the Green Belt. Moreover, it was not demonstrated that very special circumstances existed that would outweigh the harm by reason of the inappropriateness of the development and any other harm of such a proposal.

14.4 Comparison to refused application under 18/10627

14.4.1 This proposal has been revised since the previous refusal. The overall height of the building has been reduced by around 300mm, the floor level reduced, the roof and eaves line has been lowered and the building has been re-sited further into the courtyard and further away from the main frontage building. This has resulted in the proposed building being concentrated within the courtyard and would not extend so much beyond the extent of the existing complex of buildings.

14.5 Local plan policies

14.5.1 The site is located outside the built up area and within the South West Hampshire Green Belt and countryside. The Council's spatial strategy, as expressed in Policy CS10 of the Local Plan (part 1), seeks to provide for sustainable development by locating new development primarily within the towns and larger villages and by retaining and supporting the Green Belt. More generally, the policy also seeks to safeguard the countryside and coast from encroachment by built development.

14.5.2 Core Strategy Policy CS19 is applicable in this case and relates to tourism. The policy seeks to encourage tourism and provision for visitors which is appropriate to the District's settlements and countryside, including supporting new tourist provision in the countryside where these would benefit local communities and support the economy. The strategy is to support the local tourism industry by maintaining and enhancing existing tourist and visitor facilities. The strategy also seeks to support measures which would relieve tourist pressures on the most sensitive areas of the New Forest National Park.

14.5.3 Local Plan Part 2 Policy DM13 is also applicable and relates to tourism and visitor facilities. The policy goes on to state that in the countryside, any new development should be of an appropriate design and scale in keeping with the rural character of the area and should not result in significant harmful impacts on the countryside. The Council's Economic Development Officer is fully supportive of the proposal to provide additional space for the museum which is a very important facility locally and nationally.

14.5.3 The proposal broadly accords with these policies.

14.6 Main Considerations

14.6.1 The principle issues to consider, having regard to relevant development plan policies, the National Planning Policy Framework and all other material considerations are as follows:

- i. Is the development appropriate in the Green Belt by definition?
- ii. What would the effect of the development be on the openness of the Green Belt and on the purposes of including land within the Green Belt?
- iii. Would there be any other non-Green Belt harm?
- iv. Are there any considerations which weigh in favour of the development?
- v. Do the matters which weigh in favour of the development clearly outweigh any harm to the Green Belt and any other harm?
- vi. Are there 'very special circumstances to justify allowing inappropriate development in the Green Belt?

14.6.2 **i) Is the development appropriate in the Green Belt by definition?**

14.6.2.1 National Policy (NPPF) attaches great importance to Green Belts, designated in order to keep land permanently open. This site lies within the Green Belt where national policy states that the construction of new buildings, save for a few exceptions, should be regarded as inappropriate. Inappropriate development is by definition harmful to the Green Belt and should not be approved, except in very special circumstances.

- 14.6.2.2 Paragraph 145 of the NPPF states that, other than for agriculture or forestry, the construction of new buildings would be inappropriate unless the building would be for a facility for outdoor sport, outdoor recreation or a cemetery. In this case, the primary purpose of the proposed extension does not fall within any of these categories.
- 14.6.2.3 One exception set out under Paragraph 145 of the NPPF is that extensions or alterations to existing buildings can be considered as appropriate development, but this will need to be assessed against whether the extension or alteration of a building provided does not result in disproportionate additions over and above the size of the original building. The proposed extension to provide additional space for the museum would fall under this exception, however, in order to make an assessment of the impact, it is important to establish what is meant by 'original building'.
- 14.6.2.4 It is considered that the 'original building' is the extent of building on the site when the Green Belt was designated, which was in 1980. In this case, this would have been the complex of buildings, prior to their conversion to the museum. Since the former farm buildings were converted into a museum in the 1990s, there have been a number of substantial extensions to the original building. This includes a single storey extension across the whole of the front elevation facing onto Bashley Cross Road, two single storey additions to the south of the courtyard and single storey extensions to the main northern building within the courtyard. Accordingly, it is considered that the original buildings have been substantially extended in the past.
- 14.6.2.5 The proposed extension would rise to approximately 6.6 metres high, which would be some 2.2 metres taller in height compared to the existing single storey building. The proposed extension would also extend a further 2.4 metres outwards of the courtyard at a length of around 29.5 metres. The overall increase in floor space at ground floor level is around 105 square metres and the first floor would add a further 252 square metres in floor space. Accordingly, it is considered that the proposed extension would be significantly larger in scale and size compared to the existing single storey building and taking into consideration the substantial extensions made in recent years, the proposal would result in a disproportionate addition over and above the size of the original building.
- 14.6.2.6 It is therefore considered that the proposal is inappropriate development and harmful by definition in terms of the NPPF. The NPPF at paragraph 143 urges Local Planning Authorities to ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations. The applicant has submitted a series of considerations in the Planning Statement and Need Statement, outlining the applicant's case as to why very special circumstances exist in this case. These are referred to later in this report.
- 14.6.3 **ii) What would the effect of the development be on the openness of the Green Belt and on the purposes of including land within the Green Belt?**

14.6.3.1 The proposed development would undoubtedly change the appearance of the existing buildings, both individually and cumulatively, when considering the amount of extensions over the years, which would impact on the openness of the Green Belt. It is considered that the proposed extension would extend the building further to the rear with an increased scale and massing which would result in some loss of openness. This conflicts with the aim of the Green Belt Policy to keep land permanently open. Accordingly, it is concluded that there is a loss of openness to the Green Belt, which adds to the harm resulting from inappropriate development. Therefore very special circumstances need to be demonstrated before the development can be approved.

14.6.4 **iii) Would there be any other non-Green Belt harm?**

14.6.4.1 Visually, there are some concerns that the proposed design of the extension would unacceptably detract from the traditional character and integrity of this group of former farm buildings. The buildings are arranged as a traditional group designed around a courtyard. They are simple building forms with traditional proportions in which the two side wings are fairly symmetrical in their design and appearance. While there have been some extensions in the past, on the whole, it is considered that this group of buildings retain their rural theme and positively contribute to the character of the area.

14.6.4.2 Rising more than 2 metres above the existing building with a much greater depth, the proposed extension would detract from the simple form and character of the existing buildings and the group of farm buildings as a whole. The negative impact of the proposed extension on the setting of the group of buildings would be exacerbated by the overall depth of the extension with the deep side gable and shallow roof form and the extent of glazing from the ground to the eaves.

14.6.4.3 Other than the visual concerns, the proposed development would not impact on residential amenity. The only neighbouring property that would be affected by the proposal is Bashley Manor Farmhouse. No windows are proposed facing this neighbouring property and the distance from the proposed building to the side boundary measures more than 7 metres and 30 metres to the dwelling. Accordingly it is considered that the proposal would not unacceptably impact on the privacy, light or outlook of that neighbouring property.

14.6.4.4 In terms of public highway safety matters, the Highway Authority does not raise any objections to the proposal and considers that the local network can acceptably accommodate the increase in floor space. There is also sufficient car parking on the site.

14.6.5 **iv) Are there any considerations which weigh in favour of the development?**

14.6.5.1 The applicant has provided the following details in relation to 'need as part of the submission that very special circumstances exist which justify allowing inappropriate development in the Green Belt. Sammy Miller Motor museum has operated on this site for many years and is a stand alone 'not for profit' Trust. The supporting statement states that the proposed extension is required to provide additional floor space for the museum which can provide spaces for more imaginative

illustrations. The museum has always been a valuable source of archive material but presently they cannot accept any more contributions and collections due to the lack of storage space and display areas. Important collections which are currently displayed need to be catalogued and displayed in a more appropriate way.

- 14.6.5.2 The museum is an important asset to British and world motorcycle heritage and one which the Trust is trying to look after for future generations, for society, the local community and for tourism both in the New Forest, the UK and internationally. The Museum Trust continue to receive important exhibits to add to the existing collection and are committed to develop and protect the museum content for future generations.
- 14.6.5.3 It is stated that the proposed planning application will enable the necessary expansion to take place whilst also significantly improving public access to the collection and its value as an educational resource. Presently the museum cannot accept any more contributions due to a lack of storage space. In support of the application, it is stated that the museum has become one of the leading facilities in the motoring world detailing the history of transport and the development of transport and various machines through its ages. The museum provides an encyclopedic and educational attraction for many people around the world. Visitors are attracted from the local area, UK and the world. Visitor numbers are in the tens of thousands and increasing year on year as the collection grows
- 14.6.5.4 A further consideration is that there are no alternative sites that would meet the requirements of the development outside the Green Belt. The site already provides a large museum and has been established for many years. Re-locating the site or providing a building on an alternative site is not achievable. There are also a number of wider community benefits. Not only does the museum attract visitors locally, but it also used for educational purposes including schools and colleges. People are employed locally and further expansion will help the long term future of the museum.
- 14.6.6 **y) Do the matters which weigh in favour of the development clearly outweigh any harm to the Green Belt and any other harm?**
- 14.6.6.1 As set out above, the proposed development amounts to inappropriate development in the Green Belt, which by definition is harmful to the Green Belt. Substantial weight attaches to any harm to the Green Belt. However, while the existing development is large in scale, the proposal would lead to some loss of openness and would be an encroachment into the countryside, which adds to the harm to the Green Belt, albeit to a limited extent. With respect to 'any other harm', the proposal does not extend the car parking area and the proposed extension would be contained amongst the existing buildings, which would help reduce the spread of buildings on the site.
- 14.6.6.2 The additional space would enable the Museum to offer an enhanced visitor experience and would enable exhibits which are not on display to be able to be viewed by the public under cover and as part of the Museum tour. The attractiveness of the Museum and its ability to provide a learning experience to the public would be significantly improved. This would accord with Councils policy, to enhance and

expand visitor attractions in appropriate locations the District. Accordingly, there is significant weight to be attracted to the benefits that the proposed extension would bring to the museum as a visitor attraction. Although not providing significant additional employment, it would nonetheless provide indirect benefits to the local economy.

14.6.7 vi) Are there ‘very special circumstances to justify allowing inappropriate development in the Green Belt?’

14.6.7.1 In light of the above, it is concluded that ‘very special circumstances do exist, in terms of need, lack of alternative sites and benefits to the local community to warrant a departure from established and adopted Green Belt policies. The principle of the proposed development within Green Belt is therefore considered to be acceptable in this instance

14.8 Conclusion

14.8.1 The proposed development is inappropriate development within the Green Belt although the applicant has demonstrated very special circumstances to warrant a departure from Green Belt Policy, as a result, permission is recommended.

14.8.2 In coming to this recommendation, consideration has been given to the rights set out in Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to peaceful enjoyment of possessions) of the European Convention on Human Rights. Whilst it is recognised that there may be an interference with these rights and the rights of other third parties, such interference has to be balanced with the like rights of the applicant to develop the land in the way proposed. In this case it is considered that the protection of the rights and freedoms of the applicant outweigh any possible interference that may result to any third party.

15. RECOMMENDATION

That the Service Manager Planning Development Control be **AUTHORISED TO GRANT PERMISSION** subject to:

- i) the receipt of no new material objections to the submitted amended plans before 13 February 2019
- ii) the imposition of the conditions set out below:

Proposed Conditions:

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

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

2. The development permitted shall be carried out in accordance with the following approved plans: J.24.2018-02A, J.24.2018-06A, J.24.2018-04B, J.24.2018-05.

Reason: To ensure satisfactory provision of the development.

3. Before development commences, samples or exact details of the facing and roofing materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.

Reason: To ensure an acceptable appearance of the building in accordance with policy CS2 of the Core Strategy for the New Forest District outside the National Park.

4. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 2005 and the Town and Country Planning (General Permitted Development) Order 1995 or any subsequent re-enactments thereof, the development hereby approved shall be used as accommodation ancillary to the museum purposes only and for no other purposes, whatsoever, including any other purpose in Class D1 of the Town and Country Planning (Use Classes) Order 2005 or any subsequent re-enactment thereof, without express planning permission first being obtained.

Reason: The extension hereby approved is inappropriate development in the Green Belt and the applicant has demonstrated that the proposed extension to be used as additional space for the museum is required under very special circumstances to warrant a departure from Green Belt Policy. Accordingly, should the extension hereby approved be used for other uses or purposes, not in conjunction with the museum, this would fail to comply with both local plan policy and the Green Belt.

Notes for inclusion on certificate:

1. In accordance with paragraph 38 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants.

In this case all the above apply and as the application is supported by a detailed case to demonstrate very exceptional circumstances, the proposal is deemed to be acceptable.

Further Information:

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**Planning Development
Control Committee**
February 2019

Item No: 3d
Sammy Miller Museum
Bashley Cross Road
New Milton
18/11411

Scale 1:1250

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the internet, it will not be to
scale.

