

Application Number: 19/10841 Full Planning Permission

Site: SOUTH LAWN HOTEL, LYMINGTON ROAD,
MILFORD-ON-SEA ,SO41 0RF

Development: Second-floor extension to provide 18 bedrooms; 48 car parking spaces; associated landscaping; detached building to accommodate waste recycling

Applicant: S L Hotels Ltd

Target Date: 26/08/2019

Extension Date: 09/10/2019

Link to case file: [view online here](#)

1 SUMMARY OF THE MAIN ISSUES

- 1.1 The following matters are considered to be the main issues to be taken into account when determining this application. These, and all other relevant considerations, are set out and considered in Section 11, of this report after which a conclusion on the planning balance is reached.

The main issues in this application are:

- Whether the proposed development would constitute inappropriate development in the Green Belt having regard to the National Planning Policy Framework and relevant development plan policies;
- The effect of the proposal on the openness of the Green Belt;
- The effect of the proposal on the character and appearance of the area;
- Whether the harm by reason of inappropriateness and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Other Material Considerations

- Landscape and visual impacts
- Impact on tourism/ economy
- Transportation & Highway Issues
- Neighbour Amenity
- Impact on heritage assets
- Ecology

- 1.2 This matter is before Committee as the application is a departure from policy.

THE SITE

- 2.1 The application site comprises the South Lawn Hotel, which is a rectangular shaped two storey building located to the north of the village of Milford On Sea. The existing building is relatively attractive with a white painted facade with mock Tudor detailing, situated in a prominent location on the main road leading to Milford On Sea.

- 2.2 Access is currently gained from Lymington Road where there is a large graveled car park providing up to 60 unmarked car parking spaces set behind a fairly dense tree screen along the north and west boundaries. The hotel accommodates 26 bedrooms, staff accommodation, restaurant and bar, and function room set within spacious and well landscaped grounds.
- 2.3 Milford On Sea Primary School lies immediately to the south of the hotel, on the opposite side of Lymington Road. There are open fields and paddocks to the west, north and east. Further to the north of the site, is Newlands Manor, which is a grade 2 listed building which provides up to 13 residential flats and is set amongst a dense woodland of trees and cannot easily be viewed from the hotel. Other than Newlands Manor, the nearest residential property's to the hotel is South Lawn Lodge.

3 THE PROPOSED DEVELOPMENT

- 3.1 This planning application proposes a second floor extension to provide an additional 18 guest bedrooms, together with the re-organisation of the car park to provide 48 additional car parking spaces including electric charging bays, and associated landscaping. A storage building is also proposed to accommodate waste recycling.
- 3.2 The proposed second floor extension would be constructed on top of the existing flat roof and has been designed to reflect the appearance of the existing building. The proposed outbuilding to accommodate the waste/recycling would be sited within the existing car park close to the main entrance. Visually the proposed building would be constructed from timber rising to 2.5 metres tall, 9.4 metres long by 4.6 metres wide. The proposed additional car parking spaces and re-configuration of the car park would result in new spaces being created to the rear of the hotel replacing the existing outside patio areas and part of the existing open grassed area to the front of the site would be utilised.

4 PLANNING HISTORY

Function suite with staff bedrooms above, groundsman store additional car parking (77204) Granted with conditions on the 16th April 2003

Function suite with staff bedrooms over and additional parking (76370) Refused on the 9th January 2003

Detached dwelling for owners accommodation (75789) Refused on the 11th October 2002. Appeal dismissed.

Extension to dining room (27520) Granted with conditions on the 24th October 1984

Alterations and erection of a two storey addition (24949) Granted subject to conditions on the 28th October 1983

Alterations and additions of a dining room and lounge and 5 bedrooms (11453) Granted with conditions on the 16th October 1978

Alterations and additions of a first floor bedroom (09029) Granted on the 30th December 1977

Alterations and addition of a front porch (06849) Granted on the 10th February 1974

Alterations and additions to existing hotel (LYB 14195) Granted with conditions on the 16th January 1973

Change of use from dwelling to licensed hotel and new vehicular access (LYB 12628) Granted with conditions on the 29th September 1970

5 THE DEVELOPMENT PLAN AND OTHER NFDC GUIDANCE

The Core Strategy

CS2: Design quality

CS3: Protecting and enhancing our special environment (Heritage and Nature Conservation)

CS5: Safe and healthy communities

CS8: Community services and infrastructure

CS10: The spatial strategy

CS19: Tourism

CS21: Rural economy

CS24: Transport considerations

CS25: Developers contributions

Local Plan Part 2 Sites and Development Management Development Plan Document

DM1: Heritage and Conservation

DM2: Nature conservation, biodiversity and geodiversity

DM3: Mitigation of impacts on European nature conservation sites

DM13: Tourism and visitor facilities

DM22: Employment development in the countryside

The Emerging Local Plan

Policy 1 Achieving Sustainable Development

Policy 10 Mitigating the impacts of development on International Nature Conservation site

Policy 11 (Saved DM1) Heritage and Conservation

Policy 12 The South West Hampshire Green Belt

Policy 13 Design quality and local distinctiveness

Policy 21 Business and the economy

Policy 27 Tourism

Supplementary Planning Guidance and other Documents

SPD - Mitigation Strategy for European Sites

SPG - Milford-on-Sea Village Design Statement

SPD - Parking Standards

6 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Relevant Legislation

Planning and Compulsory Purchase Act 2004

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA) requires that special regard shall be paid to the desirability of preserving the building or its setting or exercise of any features of special architectural or historic interest which it possesses.

Relevant Advice

National Planning Policy Framework 2019

- i. Section 2 definition of sustainable development and presumption in favour particularly if local plan policies are out of date.
- ii. Section 6 Building a strong, competitive economy. Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt.
- iii. Section 7 ensuring the vitality of town centres
- iv. Section 11 making effective use of land including promotion of airspace above existing residential and commercial premises
- v. Section 12 achieving well designed places, sympathetic to local character and visually attractive
- vi. Section 13 Protecting Green Belt land
- vii. Section 16 Conserving and enhancing the historic environment

Planning practice guidance notes

Green Belt (July 2019) Advice on the role of the Green Belt in the planning system

Historic environment (July 2019)_Advises on enhancing and conserving the historic environment.

7 PARISH / TOWN COUNCIL COMMENTS

Milford On Sea Parish Council: Recommend permission

Concerns were expressed as to the potential noise caused by a gravel car parking area to the rear of the property.

The Parish Council would like to see consideration of electric charging points being placed where large volumes of cars are likely.

After discussion the Parish Council recommended permission, but would not accept the decision of the case officer if in contrary to the Parish Council.

8 COUNCILLOR COMMENTS

None

9 CONSULTEE COMMENTS

The following is a summary of the representations received which can be read in full via the link set out at the head of this report.

9.1 HCC Highways:

The Highway Authority raise no objections subject to conditions. The proposal accords with the car parking standards as set out in the adopted the NFDC document - 'Parking Standards Supplementary Planning Document (SPD). The submitted drawing 1283-P037 (D) has shown the refuse collection and service area and it is considered that there is sufficient space for refuse and service vehicles to wait and turn around on the site and enter the highway in forward gear. Having reviewed the proposal, the Highway Authority is satisfied that the proposed development is unlikely to cause material impact upon the operation or safety of the local highway network.

9.2 Ecologist:

No objection subject to condition. An Ecological survey comprising a bat report has been submitted as part of the D&A Statement. Given the landscape setting, the risk presence of protected species presence is high, however it appears appropriate work has classified the potential of the building and confirmed absence currently. It is not considered that the building activity is likely to result in adverse impacts on locally and nationally designated sites in the vicinity

The ecology report makes recommendations in relation to working methods and opportunities for measures to provide offset and enhancement for biodiversity in order to meet national (NPPF) and local planning policy tests (net gain wherever possible). It is recommended that the a final plan of biodiversity enhancement is submitted through a planning condition.

9.3 Hampshire County Council Lead Local Flood Authority

Having reviewed this application it is noted that the building footprint is not changing, and the proposed parking area will remain as gravel. As such there is no change in impermeable area and there will be no change in flood risk. The existing drainage network is unlikely to be to the current standards and we would suggest that this is investigated and assessed however at present, we have no comments to make regarding this development.

9.4 Economic and Tourism Business Manager:

The prospect of allowing a popular and well-reviewed hotel to increase capacity, with which there already appears to be additional existing demand to meet, is something the economic development department would be in favour of. The increase in number of bedrooms should boost the number of overnight visitor stays in the local area, thus bringing increased investment to the New Forest economy and benefit to local

supply chains. This application would fall in line with the NFDC corporate plan priority of helping local business grow.

9.5 Tree Officer:

South Lawn Hotel is subject to a single Tree Preservation Order 114/02 and includes five individual trees and one group of trees, a majority of which are situated to the south of the main hotel building. While the aforementioned trees are included within the TPO the site has a large tree stock with trees of varying size, quality and significance. This is therefore a constraint to the development. The Tree Officers comments will be updated.

9.6 Conservation/ Design Officer:

Design comments on how the hotel might adapt to the need for more space.

Still unconvinced that placing an additional storey of this design within the existing roof profile will result in a well-designed solution for the hotel. This has now become larger and more dominant than the proposal and as with any adaption of roofline for this amount of accommodation it will always feel like a 'bolt on'. It does not visually appear as a natural addition or adaptation of the existing building. The proposed results in a large flat roofed element which is perceptible from the site and the wider context. The architecture while traditional, will sit at odds with the architectural form of the existing building.

Notwithstanding this the existing facilities are in need of some upgrade and the need for hotels to diversify in the current climate means the need for re imagined uses and spaces should be explored if possible. It is suggested that the scheme needs to look more comprehensively at remodelling of the hotel. If an additional floor is required it would be much better in design terms if this looks and feels like an actual third storey. While not unduly increasing overall impact is a consideration which has to be balanced with ensuring that the final design solution has a positive visual appearance.

The landscape proposal seeks the erosion of some areas of greenspace from within the site. This will lead to large areas of parking dominating the setting of the existing hotel. The erosion of the rear lawn area is particularly regrettable and it will lead to the building being marooned in a sea of cars. This feels like the level of parking required for an out of town retail store rather than a country hotel. It is suggested that this parking is scaled back or redesigned to retain the green areas and become less dominant.

9.7 Southern Water

Southern Water confirm that they can facilitate the foul sewage disposal to service the proposed development Southern Water requires a formal application for a connection to the public foul sewer.

10 REPRESENTATIONS RECEIVED

The following is a summary of the representations received which can be read in full via the link set out at the head of this report.

For: 6; Against: 2

Comments in support

South Lawn Hotel is a critically important business and community resource which creates much of the non-resident spending which helps maintain the village qualities and facilities currently enjoyed in Milford On Sea. The additional bedrooms and rationalisation of operation infrastructure are essential if the property is to remain viable in the long term as a quality small hotel.

Trends in hotel keeping have changed considerably since the hotel was first developed in the 1970s, a small extension in 1983 has helped, but since then the hotel has constantly battled against a very low bedroom to service ratio. In all hotels, large or small, overnight guest accommodation is the bedrock of income which enable a business such as South Lawn to provide a wide range of facilities enjoyed by both staying guest and the local economy.

The design of the proposed extension would be both in keeping and sympathetic addition to the existing hotel.

Comments raising objections

Milford on Sea does not need the additional visitors.

Concerns over additional traffic onto the already congested roads with school traffic. The exist drive from South Lawn Hotel is very close to the already approved new entrance to the school car park. The road is already dangerous. This will be exacerbated when the newly approved housing development in School Lane is completed.

The effect of additional cars into Milford On Sea where the car park is now a problem.

Concerns over additional noise due to the construction work, noise from additional cars parking and visitors arriving and departing.

The effect of additional visitors to areas of outstanding natural beauty, including the New Forest and protected wildlife and bird sanctuaries in nearby Keyhaven and the Marshes.

11 OFFICER COMMENTS

Introduction

11.1 The main issues in this application are:

- Whether the proposed development would constitute inappropriate development in the Green Belt having regard to the National Planning Policy Framework and relevant development plan policies;
- The effect of the proposal on the openness of the Green Belt;
- The effect of the proposal on the character and appearance of the area;

- Whether the harm by reason of inappropriateness and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Other Material Considerations

- Landscape and visual impacts
- Impact on tourism/ economic
- Transportation & Highway Considerations
- Neighbour Amenity
- Impact on heritage assets
- Ecology

Whether the proposed development would constitute inappropriate development in the Green Belt having regard to the National Planning Policy Framework and relevant development plan policies

- 11.2 Guidance in relation to development within the Green Belt is contained with Chapter 19 of the NPPF, the advice within which is broadly echoed within Policy CS10 of the Core Strategy and Policy 12 of the emerging local plan. The NPPF and Policies CS10 of the Core Strategy and Policy 12 of the emerging plan attaches great importance to Green Belts and advises that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open.
- 11.3 The site lies within the Green Belt where national policy states 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.
- 11.4 As set out under Paragraph 145 of the NPPF, one exception is that an extension or alteration to an existing building can be appropriate development in the Green Belt, but this is provided that the extension does not result in disproportionate additions over and above the size of the original building. The proposed extension to provide additional bedrooms for the hotel 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'.
- 11.5 A reasonable approach is to consider the 'original building' as the extent of building on the site when the Green Belt was designated, which was in 1980. Although the building changed into a hotel from a modest dwelling back in the 1970s, the building has been substantially extended since 1980, including a large two storey addition used as the function room and staff bedrooms, added in 2003.
- 11.6 The proposed second floor extension would rise to approximately 2.5 metres above the existing ridge, extending 37 metres in length by 16 metres wide. The overall increase in floor space is around 640 square metres, which would equate to around a 30% increase in floor space compared to the existing building. It is considered that the proposed extension would be significantly larger in scale and size compared to both the 'original' building and the building as it stands today.

- 11.7 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.
- 11.8 Paragraph 146 states that certain forms of development are also not inappropriate development in the Green Belt provided that they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These are referred to as engineering operations. In this case the proposal seeks to increase the size of the car park and this would largely involve remodelling the existing car parking areas. For the most part, the existing gravel car parking would be re-configured, but there will be some existing grassed areas replaced with new graveled car parking areas to the north east and south of the existing building. On the basis that the proposed car parking would be contained within the existing grounds of the hotel, and it is not proposed to extend the level of hardsurfacing into the open countryside, and there is scope for new soft landscaping, it is considered that the proposed car parking would be appropriate development in the Green Belt.

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?

- 11.9 The NPPF sets out the 5 main purposes of the Green Belt. In this case it is considered that the proposal will conflict with one of the purposes, which seeks to safeguard the countryside from encroachment. In its simplest terms, the openness can best be described as being land devoid of urbanising features or structures, and as such, as soon as urbanising features are proposed on an area of land, openness is physically and visually harmed irrespective of the degree of visual impact of said structures.
- 11.10 The proposed development would undoubtedly change the appearance of the existing building, when considering the amount of extensions over the years, which would impact on the openness of the Green Belt. Moreover, it is considered that the proposed extension would increase both the scale and massing of the existing building, resulting in a more prominent building in its setting. This conflicts with the aim of the Green Belt Policy to keep land permanently open and will result in some urbanising development that will clearly be at odds with this purpose. Accordingly, it is concluded that there is a loss of openness to the Green Belt, which adds to the harm resulting from inappropriate development.
- 11.11 Therefore very special circumstances (VSCs) need to be demonstrated before the development can be approved. The applicants consider that in this instance there are VSCs that clearly outweigh the harm of the proposal by reason of its inappropriateness and any other harm. The significance and weight to be attached to the submitted VSC will be assessed at the end of this report, once the extent of any potential 'other harm' has been properly assessed and identified.

Would there be any other non-Green Belt harm?

Landscape and visual impacts

- 11.12 South Lawn Hotel sits on the northern edge of Milford, beyond the settlement boundary in a prominent position along Lymington Road. Open fields bound the north and west boundaries of the site, which enable the building to sit in a pleasant spacious setting. The hotel is a significant feature from the Lymington Road on the approach into the village and is notable for the fine Cedar collections to the south of mature ornamental and native trees neatly clipped hedges of various species, and unsurprisingly, the expanse of lawns in front of the eastern elevation. Both the appearance of the hotel and its spacious and well landscaped setting make a significant contribution to the character of the area.
- 11.13 South Lawn Hotel is a rectangular shaped building rising to two storeys in height set back from Lymington Road. From the outside, a simple pitched roof wraps around the external envelope of the building, disguising the large flat roof within the middle of the building. There are a number of small single storey elements attached to the two elevations facing Lymington Road. The building has a white painted facade with mock tudor detailing on the first floor under a dark brown tiled roof and does have a traditional appearance. The main entrance into the hotel is from the south elevation, which was the original part of the building.
- 11.14 The proposed extension would utilise the existing flat roof of the building, designed to reflect the character, form and materials of the existing building. The applicants explored several options to provide additional accommodation to the hotel including a ground floor extension to the existing building or a detached building. However, the applicant felt that both these options would further urbanise the site and unacceptably encroach into the current landscape setting of the site. The applicant also considered the option to completely remodel the existing building, however, such a scheme would have resulted in a building of greater scale and impact on the rural setting and Green Belt and would not have been financially viable.
- 11.15 Officers agree that given the constraints of the site, the proposal to utilise the existing flat roof of the building to create a second floor would be the correct design approach. The main views would be from Lymington Road. Rising to around 2.5 metres in height, the proposed extension would largely sit behind and back from the existing roof. In total, the extended building would result in a building rising to around 9 metres in height. Visually, the design seeks to match the form, materials and appearance of the existing building. The dormer windows are appropriately proportioned and their siting would add interest in the building and help break up the roof form.
- 11.16 Although the proposed extension would increase the physical presence of the existing building, it has been designed with gentle sloping roofs in a traditional form, which enables the extension to sit sympathetically with the existing building. Indeed, the design of the proposed extension does not seek to compete with or detract from the form and character of the existing building. For these reasons, it is considered that the proposed extension would not unacceptably detract from or appear visually discordant with the existing building, its setting and wider character.

- 11.17 The proposal to re-configure and create additional car parking spaces will have some impact on the landscape setting of the site. Currently the car park is laid out in a very informal manner, with gravel surfacing, unmarked car parking set amongst trees, grassed areas and ornamental plants. The proposed car parking would be constructed from the same gravel material and would be sited within the existing grounds resulting in only a small loss of grassed areas and ornamental plants. The main increase in car parking would be to the rear of the existing building, on an existing outside seating and patio area. Whilst the increase in car parking and loss of some greenery is unfortunate, it is considered that a landscaping scheme to provide new tree and shrub planting within the site can be provided to enhance the setting of the site and this can be secured through condition. It should be noted that the existing trees along the sites frontage would be retained. All existing trees, which are covered by a Tree Preservation Order will also be unaffected.
- 11.18 In relation to the proposed outbuilding, this would be a modest structure constructed from timber and positioned behind existing trees and vegetation. Currently refuse bins are stored in the open to the front of the site which has a negative impact. The proposal to create a traditional timber structure to accommodate the recycling and waste on the site would be sympathetic to the surroundings.
- 11.19 It is therefore considered that the proposal is of an acceptable design and would not be unduly harmful to the character of the area.

Impact on tourism/ economic

- 11.20 Retaining and enhancing existing hotel accommodation is one of the main focuses for tourism within the Local Plan, in particular, the historic towns and villages of Lymington, Hythe, Ringwood, Fordingbridge and Milford-on-Sea, and the coast. These areas can provide facilities and amenities which will complement and relieve visitor pressures on the National Park, as well as being visitor destinations in their own right. Visitors staying in serviced accommodation, such as hotels and guest houses, spend on average three times as much as those staying in self-catering accommodation and more than seven times the amount spent by day visitors.
- 11.21 Local Plan Part 2 Policy DM13 relates to tourism and states that outside defined built up areas, development to provide visitor accommodation and/or facilities will only be permitted where it is to extend an existing hotel, to improve its operating efficiency or to maintain the viability of the business and where any physical extension is of a scale and design which does not have an unacceptable impact directly or indirectly on the character and setting of the building or the surrounding area.
- 11.22 The overall local plan strategy for tourism is echoed in the NPPF which seeks to support a prosperous rural economy, the sustainable growth and expansion of all types of business and sustainable rural tourism with respect the character of the area.
- 11.23 The proposed extensions and alterations to the hotel are compliant with policy.

Transportation & Highway Considerations

- 11.24 The main issue in this case is whether the existing accesses into the site can acceptably accommodate the increase in use, whether there would be sufficient car parking spaces provided to serve the development and whether the internal layout enables all vehicles types to safely enter and egress the site onto Lymington Road.
- 11.25 South Lawn Hotel currently has 26 bedrooms and around 60 car parking spaces. The proposal would increase the total numbers of bedrooms and car parking spaces to 44 and 105 respectively. The proposal would accord with the Councils adopted 'Parking Standards Supplementary Planning Document (SPD)' adopted in October 2012. The proposal does not shown any provision for cycle parking, however, details can be secured through an appropriately worded planning condition.
- 11.26 It is considered that the increase in the use of the existing access onto Lymington Road would be acceptable, in which there is sufficient visibility in both directions to the north and south. Equally, the submitted plans show sufficient space for all vehicle types, including refuse and service vehicles to manoeuvre on the site and enter the highway in a forward gear. The Highway Authority do not raise any objections to the proposal.
- 11.27 It is therefore considered that the proposal will not be harmful to highway safety

Residential amenity

- 11.28 The only residential property that is likely to be affected by the proposal is South Lawn Lodge which lies to the south of the site. Currently this property is separated from the application site by an existing private road which access the existing flats at Newlands Manor. Given the overall scale and design, and the degree of separation, in which there would be a distance of at least 36 metres between South Lawn Lodge and the proposed extension, it is considered that the proposal would not unacceptably impact on their outlook.
- 11.29 In terms of overlooking, two second floor dormer windows are proposed on the south elevation facing South Lawn Lodge. Given that there are a number of existing first floor windows on the south elevation, the degree of separation of at least 36 metres, the windows would serve a plant room and the fact that the dormer windows sit largely beneath the ridge, it is considered that the proposal would not unacceptably impact on the privacy of South Lawn Lodge.
- 11.30 It is accepted that the proposal to create 18 additional bedrooms at the hotel would increase the level of noise and disturbance in the area and therefore would result in some impact on the living conditions of South Lawns Lodge by way of noise and disturbance.
- 11.31 The impact would be a result of increase in activity from both staff and customers arriving and leaving the hotel and utilising the existing and new gravel car parking area. In addition, the increase in the use of the second access which is adjacent to South Lawn Lodge.

- 11.32 A majority of increase in car parking would be accessing the main existing access from Lymington Road, which is sited a sufficient distance away from South Lawn Lodge. It is accepted that the increase in the use of the second access adjacent to South Lawn Lodge is not ideal and would lead to a degree of impact on these proposed in this area and they would be sited at least 35 metres away from the boundary of South Lawn Lodge. Moreover, the proposed 12 car parking spaces would be sited on an area currently used for outside seating, and as such, this area already generates a degree of noise from customers using this space.
- 11.33 It is therefore considered that the proposal would not adversely impact on the living conditions of the adjoining neighbouring properties.

Impact on Heritage Assets

- 11.34 Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires the decision-maker to ask whether there would be some harm to the setting of listed buildings. Local Plan Part 2 Policy DM1 states that development proposals should conserve and seek to enhance the historic environment and heritage assets, with particular regard to local character, setting, management and the historic significance and context of heritage assets. This includes a balancing exercise between impact on Heritage Assets against public benefits which is also referred to in the National Planning Policy Framework (NPPF) 2019. Accordingly, if the proposal would lead to harm, then planning should be refused unless that harm is outweighed by the planning benefits of the proposed development.
- 11.35 Newlands Manor is a Grade 2 listed building which lies to the north of the application site. The building is late C18/ early C19 house in Gothic style which is currently separated into several flats and sits in a dense woodland setting separate from the neighbouring buildings with open fields between. A tree lined track leads to Newlands Manor which runs between South Lawn Hotel and South Lawn Lodge. Before arriving at Newlands Manor, the access runs through a dense woodland area.
- 11.36 It is likely that originally the South Lawn Hotel would have been part of the Newlands Manor grounds, offering long views from the manor house and lake to the Solent, with its southern access and Lodge adjacent to the south of the extended hotel. The Manor and its grounds are not retained intact and are no longer visible from the south where woodland has been allowed to develop a thick edge to the immediate gardens of the original Manor, whilst the southern access drive retains its original lines of formal tree planting.
- 11.37 For the reason given above, it is considered that there is now a clear separation between Newlands Manor and the two buildings along the shared access at South Lawn Lodge and South Lawn Hotel. In addition, South Lawn Hotel has substantially grown in size and no longer has the appearance of a lodge or residential building associated with Newlands Manor.
- 11.38 The proposed extension to the hotel would result in a building of larger size and scale, however, it would create only a low degree of 'less than substantial harm' without significantly compromising the appreciation of the heritage asset relative to its value. The 'less than substantial harm' must then be weighed against the degree of public benefit derived from

proposals and carefully assessed including the setting of heritage assets as part of the wider consideration of development proposals. Having regard to the benefits created by the proposal (see following sections of this report), it is considered that the low degree of less than substantial harm is not a sufficient reason to resist this application.

11.39 The proposal is therefore compliant with Policy DM1 of the Local Plan and neutral weight should be afforded to this in the planning balance.

Ecology

11.40 The application site does not lie within or immediately adjacent to any designated nature conservation sites. In support of the application an Ecological survey comprising a bat report has been submitted. Given the landscape setting, the risk of presence of protected species is high, however it is considered that appropriate work has classified the potential of the building and confirmed absence present.

11.41 The Ecologist does not believe that the building activity is likely to result in adverse impacts on locally and nationally designated sites in the vicinity. The ecology report makes recommendations in relation to working methods and opportunities for measures to provide offset and enhancement for biodiversity in order to meet national (NPPF) and local planning policy tests (net gain wherever possible).

11.42 On the basis that these have not been confirmed, a planning condition can be imposed to secure a final plan of biodiversity measures. As a minimum, the enhancements measures could include bat tube/habitat box and if ecologically feasible, provision of three swifts features due to their strategic importance in this location.

11.43 Subject to the conditions as set out above, it is considered that the proposal will not have any unduly harmful impacts upon the protected species or the ecological value of the site.

Are there any considerations which weigh in favour of the development?

11.44 The applicant has provided the following details in relation to 'need as part of the submission that very special circumstances (USCs) exist which justify allowing inappropriate development in the Green Belt.

The submitted VSCs are as follows:

11.45 *the proposal constitutes the reasonable expansion of an established hotel in the Green Belt, and that the proposal makes a significant contribution to the local economy and local employment.*

11.46 The supporting statement states that South Lawn Hotel is a well established hotel which has operated for many years, and is an important and popular local independent hotel hosting many thousands of visitors and guest a year. South Lawn is a 26 bedroom hotel with a banqueting suite for 150 people and the 'Cedar Restaurant' with 50 covers. The banqueting suite is used for weddings, conferences, parties and fund raising events.

- 11.47 The hotel runs at about 80% occupancy over the week and generally 100 % occupancy at weekends, throughout the year. This is in part explained by the imbalance between the banqueting facilities (150) people and the number of bedrooms (26 rooms). The applicants consider that there is a clear quantitative and qualitative need for the proposed additional bedrooms, because the existing business capacity cannot accommodate sufficient bedrooms for guest attending an event at the function room, to be able to stay.
- 11.48 The hotel plays an important part in helping to underpin the viability and viability of the nearby shops, restaurants and services at Milford On Sea and wider area. New links are being forged with a growing number of local groups.
- 11.49 Further support has been provided by, 'Go New Forest', a not-for-profit Community Interest Company (CIC), which principle aim is to market the New Forest as a quality destination through co-operation with all interests, to enhance our environment and grow business. In their supporting letter, they state that *'South Lawn Hotel is a critically important business and community resource which creates much of the non -resident spending which helps maintain the unique village qualities and facilities currently enjoyed in Milford On Sea. Without such sources, these have been lost in so many other small settlements across the district'*.
- 11.50 As stated above, the applicants consider that there is a clear need for the proposed additional bedrooms, because the existing business capacity cannot accommodate sufficient bedrooms for guests attending an event at the function rood, to be able to stay. This is corroborated by 'Go New Forest' as follows:
- "Trends in hotel keeping have changed considerably since the Hotel was first developed in the 1970s, a small extension in 1983 has helped, but since then the hotel has constantly battled against a very low bedroom to service ratio. In all Hotels, large or small, overnight guest accommodation is the bedrock of income which enable a business such as South Lawn to provide the wide range of other facilities enjoyed by both staying guests and the local community."*
- 11.51 The hotel currently employs 13 full time and 7 part time employees. It is anticipated that the proposed additional bedrooms will create vacancies for an additional 4 full time and 3 part time employees. The supporting statement highlights that the hotel is an important asset to Milford on Sea and the surrounding area and helps underpin the local community socially and economically. The proposal will improve public access to the facility to visitors from the local area, UK and world.
- 11.52 There are no alternative sites at Milford on Sea that would meet the requirements of the development outside the Green Belt. Even if there is a site(s) – which there are not - because the hotel is very well established it is not possible to relocate the hotel within the settlement boundary – the applicants sequential site search which failed to identify suitable, available and viable sequentially preferable site.
- 11.53 The Economic Development Manager supports the proposal and considers that the prospect of allowing a popular and well-reviewed hotel to increase capacity, when there already appears to be additional existing demand, is something the economic development department would be

in favour of. The increase in number of bedrooms should boost the number of overnight visitor stays in the local area, thus bringing increased investment to the New Forest economy and benefit to local supply chains. This proposal would fall in line with the NFDC corporate plan priority of helping local business grow.

Do the matters which weigh in favour of the development clearly outweigh any harm to the Green Belt and any other harm

11.54 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 proposal would lead to some loss of openness, which adds to the harm to the Green Belt, albeit to a limited extent.

11.55 With respect to 'any other harm, the proposed design would be sympathetic to the character of the area, a detailed landscaping and ecological scheme can be provided through planning conditions to provided further enhancements, there would be limited impact on residential amenity and sufficient car parking is made available.

11.5 Your officers are not aware of any other matters raised in representations that would weigh against the scheme.

11.57 In respect of those matters which weigh in favour of the scheme, the applicant has provided evidence in relation to the need for the addition of the extra bedrooms which will increase the capacity of the hotel and add to/ complement its existing facilities to the extent that current turn away business is not lost. Consequently this will enable the economic expansion of the hotel to the benefit of the local economy and that an increase of additional employment would result from the development.

11.58 Officers consider that there would be an increase in employment and local economic benefits from the business. The capture of lost spend with wider benefits to the local economy is also substantial and could be regarded as making a not insignificant contribution, and this is primarily about the additional rooms.

Are there 'very special circumstances to justify allowing inappropriate development in the Green Belt?

11.59 In light of the above, it is concluded that 'very special circumstance's 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.

12 CONCLUSION ON THE PLANNING BALANCE

12.1 This report has set out that the proposal represents inappropriate development in the Green Belt that is harmful to openness by definition and to the purposes of including land within the Green Belt. With this borne in mind is considered that very special circumstances have been demonstrated that outweigh the harm to the Green Belt and any other harm and as such there is no reason to withhold the granting of planing permission for this proposal.

13 OTHER CONSIDERATIONS

Other matters

Habitat Mitigation

In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting planning permission would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of that site's conservation objectives. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the recreational impacts on the European sites, but that the adverse impacts would be avoided if the planning permission were to be conditional upon the approval of proposals for the mitigation of that impact in accordance with the Council's Mitigation Strategy or mitigation to at least an equivalent effect

Human Rights

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.

Equality

The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty *inter alia* when determining all planning applications. In particular the Committee must pay due regard to the need to:

- (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

14. RECOMMENDATION

Grant Subject to Conditions

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: 1283-P048(A), 1283-P030(C), 1283-P031 (B), 1283-P032(A), 1283-P033 (B), 1283-P034(B), 1283-P035 (B), 1283-P036(B), 1283-P040(D), 1283-P041(E), 1283-P045 (B), 1283-P026(-), 1283-P038(B), 1283-P039(B), 1283-P042(D), 1283-P043(D), 1283-P044(D), 1283-P027 (A), 1283-P018(-)1283-P025 (-), Proposed site plan, 1283-SK023(-), 1283-P037 (D)

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. The development hereby permitted shall not be occupied until the spaces shown on plan 1283-P037(D) for the parking of motor vehicles have been provided. The spaces shown on plan 1283-P037(D) for the parking of motor vehicles shall be retained and kept available for the parking of motor vehicles for the Hotel at all times.

Reason: To ensure adequate parking provision is made in the interest of highway safety and in accordance with Policy CS2 and CS24 of the Local Plan for the New Forest outside of the National Park (Core Strategy).

5. Before development commences a scheme of landscaping of the site shall be submitted for approval in writing by the Local Planning Authority. This scheme shall include :

- (a) the existing trees and shrubs which have been agreed to be retained;
- (b) a specification for new planting (species, size, spacing and location);
- (c) areas for hard surfacing and the materials to be used;
- (d) other means of enclosure;
- (e) a method and programme for its implementation and the means to provide for its future maintenance.

No development shall take place unless these details have been approved and then only in accordance with those details.

Reason: To ensure that the development takes place in an appropriate way and to comply with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

6. All external works (hard and soft landscape) as approved at Condition 5 shall be carried out in accordance with the approved plans and details within one year of commencement of development and maintained thereafter as built and subject to changes or additions only if and as agreed in writing with the Local Planning Authority.

Reason: To ensure the achievement and long term retention of an appropriate quality of development and to comply with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

7. Before development commences (including site clearance, demolition and any other preparatory works) a scheme for the protection of trees to be retained shall be submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include a method statement detailing timing of events, all changes of existing surfaces and plans showing the protective fencing or other measures required for the avoidance of damage to retained trees all in accordance with BS 5837 (2012) "Trees in Relation to Construction Recommendations". Such fencing shall be erected prior to any other site operation and at least 24 hours notice shall be given to the Local Planning Authority that it has been erected. The tree protection measures installed shall be maintained and retained for the full duration of the works or until such time as agreed in writing with the Local Planning Authority. No activities, nor material storage, nor placement of site huts or other equipment whatsoever shall take place within the fencing without the prior written agreement with the Local Planning Authority.

Reason: To ensure the retention of existing trees and natural features and avoidance of damage during the construction phase in accordance with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

8. No development shall be carried out until proposals for the mitigation of the impact of the development on the New Forest and Solent Coast European Nature Conservation Sites have been submitted to and approved in writing by the local planning authority, and the local planning authority has confirmed in writing that the provision of the proposed mitigation has been secured. Such proposals must:

- (a) Provide for mitigation in accordance with the New Forest District Council Mitigation Strategy for European Sites SPD, adopted in June 2014 (or any amendment to or replacement for this document in force at the time), or for mitigation to at least an equivalent effect;
- (b) Provide details of the manner in which the proposed mitigation is to be secured. Details to be submitted shall include arrangements for the ongoing maintenance and monitoring of any Suitable Alternative Natural Green Spaces which form part of the proposed mitigation measures together with arrangements for permanent public access thereto.

(c) The development shall be carried out in accordance with and subject to the approved proposals.

Reason: The impacts of the proposed development must be mitigated before any development is carried out in order to ensure that there will be no adverse impacts on the New Forest and Solent Coast Nature Conservation Sites in accordance with Policy DM3 of the Local Plan Part 2 and the New Forest District Council Mitigation Strategy for European Sites Supplementary Planning Document.

9. Prior to the commencement of development, and notwithstanding the Daniel Ahern Ecology Report dated May 2019 a detailed scheme for biodiversity mitigation, compensation and enhancement shall be submitted to, and approved in writing by the Local Planning Authority. All works shall then proceed in accordance with the details and recommendations as approved in the strategy with any amendments agreed in writing. Thereafter, unless otherwise agreed in writing by the Local Planning Authority, the mitigation measures shall be permanently maintained and retained in accordance with the approved details.

Reason: To safeguard protected species in accordance with Policy CS3 of the Local Plan for the New Forest District outside of the National Park (Core Strategy) and Policy DM2 of the Local Plan for the New Forest District outside the National Park (Part 2 : Sites and Development Management).

10. Prior to the first occupation of the extension hereby approve, the detailed design of the cycle parking facility including the specification shall be submitted to and approved in writing by the Local Planning Authority. Before the first occupation of the extension hereby approved, the cycle store shall be installed in accordance with the approved plans and thereafter retained, maintained and kept available for the occupants of the development at all times.

Reason: To promote sustainable mode of travel.

11. No development hereby permitted shall commence until a Construction Traffic Management Plan, to include details of provision to be made on site for contractor's parking, construction traffic access, the turning of delivery vehicles and lorry routeing as well as provisions for removing mud from vehicles and a programme of works has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before the development hereby permitted is commenced and retained throughout the duration of construction.

Reason: In the interest of Highway Safety.

12. 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; all measures necessary to meet the agreed water efficiency calculation must be installed before first occupation and retained thereafter;
 - 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.

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. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that enough mitigation for is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017, Policy 10 of the Local Plan Review 2016-2036.

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 was acceptable as submitted no specific further actions were required.

2. In discharging condition No 8 above the Applicant is advised that appropriate mitigation is required before the development is commenced, either by agreeing to fund the Council's Mitigation Projects or otherwise providing mitigation to an equivalent standard. Further information about how this can be achieved can be found here <http://www.newforest.gov.uk/article/16478/>
3. The development subject to this notice falls within a highlighted proximity of a mains gas pipe which is considered a major hazard.

The applicant/agent/developer is strongly advised to contact the pipeline operator PRIOR to ANY works being undertaken pursuant to the permission granted/confirmed by this notice.

Address is:

Southern Gas Networks Plc

SGN Plant Location Team

95 Kilbirnie Street

Glasgow

GS5 8JD

Tel: 0141 184093 OR 0845 0703497

Search online at:

www.linesearchbeforeyoudig.co.uk

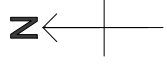
SGN personnel will contact you accordingly.

Further Information:

Richard Natt

Telephone: 023 8028 5588

NFDC



14.9m

15.2m

South Lawn Hotel

South Lawn Lodge



New Forest
DISTRICT COUNCIL

www.newforest.gov.uk
tel: 023 8028 5000

Date	30/09/19	19/10841
Title	South Lawn Hotel Lymington Road, Milford on Sea	
Scale	1:1250	
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