

Application Number: 21/10834 Full Planning Permission

Site: HURLEY FARM, MARL LANE, SANDLEHEATH SP6 1NY
Development: Re-cladding existing barn + roof and roller shutter doors; increase stone covered equipment storage area and parking
Applicant: Mr Melville
Agent: Wildcry Technical Services
Target Date: 03/08/2021
Case Officer: Jim Bennett

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Principle of Development
- 2) Design, site layout and impact on local character and appearance of area, including landscape impact and trees
- 3) Highway safety, access and parking
- 4) Residential amenity
- 5) Ecology and on Site Biodiversity and protected species.

The application has been brought to committee due to a contrary Parish Council view and Councillors request.

2 SITE DESCRIPTION

The site comprises a detached dwelling set within a good sized domestic curtilage with a number of agricultural buildings and outbuildings located to the north east and south west, known as Hurley Farm. A long single access track leads up to the dwelling and agricultural buildings from Marl Lane. The surrounding area is predominantly open countryside with the nearest residential property being located about 220m away to the south east. The site is visible from the public bridleway (Marl Lane) some 180m away to the south.

3 PROPOSED DEVELOPMENT

The application is made retrospectively to clad an existing agricultural building with black cedar cladding, akin to a number of other buildings on the site, with 3 roller shutter doors inserted into the north east elevation. The submitted plan indicate its use as an equipment store.

It is also proposed to formalise the creation of a hardstanded area of approximately 525 sq.m in area, to the north east of the clad building.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
19/10943 House; demolition of existing (previously approved under 15/10009)	25/09/2019	Granted Subject to Conditions	Decided
15/10009 House; demolition of existing	29/07/2015	Granted Subject to Conditions	Decided
12/98755 1 detached garage block; 1 detached outbuilding (Lawful Development Certificate that permission is not required for Proposal)	25/06/2012	Was Lawful	Decided
11/98006 Use of ancillary residential accommodation as single holiday let; fenestration alterations	20/01/2012	Granted Subject to Conditions	Decided
11/96925 Replacement garage block and stores	17/05/2011	Refused	Decided
06/88123 Use as ancillary accommodation	25/10/2010	Granted Subject to Conditions	Decided
06/86919 Continued use as farm office; rest room; games room & ancillary use to farmhouse	03/03/2006	Refused	Decided
05/85647 Continued use of barn as farm office; rest room; games room	03/10/2005	Refused	Decided

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy STR1: Achieving Sustainable Development
Policy STR6: Sustainable economic growth
Policy ENV3: Design quality and local distinctiveness
Policy ENV4: Landscape character and quality

Local Plan Part 2: Sites and Development Management 2014

DM2: Nature conservation, biodiversity and geodiversity
DM22: Employment development in the countryside

Core Strategy

CS21: Rural economy (saved policy)

Relevant Advice

National Planning Policy Framework (NPPF):

Chapter 11: Making effective use of land
Chapter 12 - Achieving well designed places
Chapter.15 - Conserving and enhancing the natural environment

Plan Policy Designations and Constraints

Plan Area
Avon Catchment Area
Countryside

6 PARISH / TOWN COUNCIL COMMENTS

Sandleheath Parish Council - PAR4: We recommend REFUSAL, for the reasons Listed: There has been a lot of unauthorised building work, land and tree clearance and laying of hardstanding on this site. There appears to be no consideration for the wildlife habitat. We have received a lot of complaints from local residents regarding traffic along Marl Lane to and from this site. We would like the opportunity to attend or submit a report to the planning committee meeting when it is held for this application.

Fordingbridge Town Council - Note the bat report is out of date. A new bat report needs to be completed before the building is repaired.

7 COUNCILLOR COMMENTS

Cllr Ann Sevier and Cllr Annie Bellows requested Committee determination due to local interest and concern.

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

HCC Rights of Way - The proposed vehicular access to the site is along Sandle Heath Bridleway 780 and Fordingbridge Bridleway 80. In the interest of safety, suitable signage should be erected warning contractors and delivery drivers of the presence of walkers on the Bridleway and of the requirement to give way. Give informatives.

NFDC Ecologist - A bat survey report is submitted, but is out of date and not relevant to the building subject to the application. I do not have details as to what the barn was previously like so am unable to offer comment as to whether an offence has been caused by the works that have been carried out with respect to impacts on protected species such as birds and bats. The best approach, would be to condition the provision of a series of comprehensive ecological enhancement measures such as bat boxes, bird boxes, landscaping etc.

9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received.

For: 0

Against: 4

- Detrimental visual impact to the character of the open "farm" site posed by enclosure of the previously fully open sided hay barn, plus additional ground levelling and hardstanding.
- Breaches of planning and conditions against the property over an extended period of time and unpermitted works and site changes continued whilst under enforcement could not readily proceed.
- Publicly evidenced intent to operate an events business (wedding venue) from the site requiring, change of use, suggests this retrospective planning application is made on false premise.
- Destruction of geological, ecological conditions and known habitats.
- A condition of approval for new house and demolition of existing old farmhouse noted the need to accommodate bats. The retrospective planning application suggests intent to breach these conditions.

- Substantial increased vehicular movements on the inadequate bridle paths posed by the development and the additional site changes.

10 PLANNING ASSESSMENT

Principle of Development

The proposal is made retrospectively to clad a previously open agricultural building and form a hardstanding within part of a field close to the farm curtilage, the general principle for which is acceptable. The site is within countryside, but would be for a form of development directly associated with the existing use of the site. This application is not for a wedding venue, which would need to be considered under a separate application and on its own merits. The current proposal is assessed against the considerations outlined below.

Design, site layout and impact on local character and appearance of area, including landscape impact and trees

The proposal needs to be considered in the context of design policies and policies seeking to protect the countryside. Turning to the first issue; the cladding of an existing open sided agricultural building, the cladding does serve to emphasise the massing of the structure. However, the structure relates well to existing structures around the yard area of Hurley Farm and use of cedar cladding, slate roof and roller doors are not considered to be out of keeping with the agricultural character of the area and appearance of the countryside, noting that other buildings on the site have been clad in a similar material.

It is understood that the hardstanding was laid down over improved pasture and while the retrospective nature is unfortunate, the level of hardstanding is quite modest by comparison with the existing farm yard area. Furthermore it is well related to the existing yard area and retained trees on its south eastern boundary will assist in screening it from wider views. The hardstanding has been bound by post and rail fencing on its northern and eastern boundaries and it is recommended that these boundaries are defined by native hedgerows to assist with visual integration and biodiversity net gain. Details of landscaping will be required by condition.

Overall the impact of the cladding and hardstanding on the openness and visual amenity of the area would be limited due to use of appropriate materials and its relationship to existing structures and trees. The proposal complies with the provisions of Policies ENV3 and ENV4 related to design quality, local distinctiveness and landscape character and quality.

Highway safety, access and parking

Notified parties suggest the proposal would result in substantial increased vehicular movements on inadequate bridle paths posed by the development. This might be the case were the use of the site to change, but the current application is merely for cladding of the building and formation of the hardstanding. The Planning Authority cannot resist a proposal on the basis of disturbance caused by construction or access to a site by construction vehicles, as this is an inevitable consequence of new development and short term in its impact. Furthermore, as a retrospective application, which is largely complete, it is not anticipated that granting approval of this application would result in significantly increased construction traffic to the site.

The Rights of Way Authority note that vehicular access to the site is along Sandle Heath Bridleway 780 and Fordingbridge Bridleway 80. They do not object to the proposal but suggest informatives that suitable signage should be erected warning contractors and delivery drivers of the presence of walkers on the Bridleway and of the requirement to give way. The informatives will be applied to any approval for the applicant's information, but in the knowledge that the development is largely complete, the erection of signage is not necessary.

Residential amenity

With regard to residential amenity, the use of the land would be the same as its existing use and considering the degree of separation involved, it would have no impacts in respects of overbearing impact, light loss or loss of privacy.

With regard to the potential for disturbance to adjoining residents, it is noted that concern is raised by notified parties that it is intended to operate an events business (wedding venue) from the site and that this retrospective planning application is made on a that basis. If it is the applicant's intention to utilise the building and land subject to the application in association with the use of the wider site as a commercial/wedding venue, then this will need to be determined on its own merits under a separate application for change of use.

The current application is for the cladding of an existing building and formation of a hardstanding, which is all the Local Planning Authority has been requested to assess. The application has been determined on the basis.. A future use of the site as a wedding venue and the potential impacts this would have would need to be assessed on its own merits under a specific application for change of use if this proposal came forward.

The site is well removed from adjoining occupiers and the form of development proposed would have no adverse impacts on adjoining amenity, in accordance with Policy ENV3.

Ecology and on Site Biodiversity and protected species

It is unclear why the bat survey report submitted with the application has been presented as it is both out of date and not relevant to the building subject to the application. It relates to the replacement dwelling on the site initially approved in July 2015. This issue has been noted by objecting parties. In order to clarify the position, a condition of approval for new house and demolition of the old farmhouse noted the need to accommodate bats through appropriate mitigation and this is still the case. However, the replacement dwelling is not yet complete, the old farmhouse has yet to be demolished and the condition requires the replacement dwelling to be implemented in accordance with the agreed ecological mitigation measures.

It is understood that the barn subject to this application was previously an open-sided structure, with limited scope for supporting ecological interests. The footprint of the hardstanding was previously semi-improved grassland with limited ecological value. While the hardstanding does not enhance biodiversity, it is not clear that destruction of habitat has occurred. The Council's Ecologist does not raise any objections to the proposal and considers the best approach would be to condition the provision of a series of comprehensive ecological enhancement measures such as bat boxes, bird boxes and landscaping in order to achieve biodiversity net gain. Boxes could be installed on the building or other locations within the site and landscaping could be introduced in the form of a native hedgerow around the hardstanding, details of which will be required by condition, in accordance with Policy DM2.

Other Matters

With regard to the comments of notified parties that breaches of planning have occurred and unpermitted works and site changes have been carried out, the applicant has submitted the current application seeking to formalise these breaches. The Planning Authority cannot refuse the proposals merely due to their retrospective nature, they must be assessed on the basis of the material considerations outlined above, in order to weigh the harm caused against benefits.

11 CONCLUSION

The proposal is considered to be acceptable in relation to its countryside, ecological, access and amenity impacts and is accordingly recommended for approval.

12 RECOMMENDATION

Grant Subject to Conditions

Proposed Conditions:

1. The development permitted shall be retained in accordance with the following approved plans: drawing number Hur020 - Storage Shed and Storage Area, drawing number Hur021 - Location Plan and Design and Access Statement

Reason: To ensure satisfactory provision of the development.

2. Within 3 months of the date of this approval, 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;

Within a period of 3 months from the date of agreement in writing, the development shall be implemented in full accordance with the agreed landscaping scheme 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 that the development takes place in an appropriate way and to promote biodiversity net gain, to comply with Policies ENV3 and ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park and Policy DM2 of the Local Plan for the New Forest District outside the National Park (Part 2: Sites and Development Management).

3. Within 3 months of the date of this approval, full details of ecological enhancement measures to be implemented on the site to achieve biodiversity net gain shall be submitted to and agreed in writing by the Local Planning Authority. The agreed enhancement measures shall be implemented in full within 3 months of their approval in writing.

Reason: To promote biodiversity net gain in accordance with Policy DM2 of the Local Plan for the New Forest District outside the National Park (Part 2: Sites and Development Management).

Further Information:

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New Forest

DISTRICT COUNCIL

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PLANNING COMMITTEE

August 2021

HURLEY FARM
MARL LANE
SANDLEHEATH SP6 1NY
21/10834

Scale 1:1750

N.B. If printing this plan from
the internet, it will not be to
scale.

NFDC

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