

Application Number: 21/11036 Full Planning Permission

Site: COURTVALE FARM, COURT HILL, DAMERHAM,
FORDINGBRIDGE SP6 3HL

Development: Proposed erection of a 2m high close boarded fence; part change
of use of land to civil engineering depot; landscaping

Applicant: D R Smith Properties Ltd

Agent: Jerry Davies Planning Consultancy

Target Date: 07/09/2021

Case Officer: Jim Bennett

Extension Date: 10/12/2021

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Principle of Development
- 2) Planning history of the site
- 3) Impact on residential amenity of adjacent neighbouring properties, in respect
of light, visual intrusion, disturbance and privacy
- 4) Impact on the character and appearance of the area, including the
countryside, AONB and protected trees
- 5) Impact on biodiversity and protected species
- 6) Impact on provision of employment land and economic development
- 7) Potential for Contamination

This application is to be considered by Committee as the recommendation is
contrary to the view of Damerham Parish Council.

2 SITE DESCRIPTION

The site at Court Vale Farm comprises a variety of buildings including a single
storey building used as an office and a detached industrial type structure to the rear
used as a workshop. There are also areas of open storage and car parking for staff.
The site has been operating as a civil engineering business for at least 25 years..
The site is within the countryside, within the Area of Outstanding Natural Beauty
(AONB) and impacts a Site of Interest for Nature Conservation (SINC) and area
(TPO) Woodland.

3 PROPOSED DEVELOPMENT

The land is currently used by a civil engineering business that was originally
approved in 1993 The site is used/occupied by an office, covered stores, open
storage and vehicle parking.

The site area has been extended to the north east into adjoining woodland
designated as a SINC and TPO, in breach of condition nos.1 and no. 4 of the varied
planning permission ref: 17/10510. In addition material has been deposited on the
site and ground levels have been raised, which constitute an engineering operation
and change of use for which planning permission is required.

This proposal seeks to regularise changes to the boundaries of the site and engineering operations.. The application proposes to define the northern boundary of the site with a close boarded acoustic fence..

It is also proposed to implement tree planting on the site to compensate for removed and damaged specimens and to address visual impacts.

The application is supported by plans, tree management proposals, a Design Access and Planning Statement and an Acoustic Report Review.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description
17/10510 Removal of Condition 1 of Planning Permission 92/50671 to allow use for civil engineering business including ancillary office, covered stores, open storage and vehicle parking, workshop without any personal restriction	26/05/2017	Granted Subject to Conditions
14/10517 Retention of single storey office extension - Granted on the 28th May 2014	27/05/2014	Granted Subject to Conditions
92/NFDC/50671 Use of land & bldgs as head office/workshop/storage/parking	20/04/1993	Granted Subject to Conditions

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy ECON1: Employment land and development
Policy ECON2: Retention of employment sites and consideration of alternative uses
Policy ENV3: Design quality and local distinctiveness
Policy ENV4: Landscape character and quality
Policy STR1: Achieving Sustainable Development
Policy STR2: Protection of the countryside, Cranborne Chase Area of Outstanding Natural Beauty and the adjoining New Forest National Park
Policy STR3: The strategy for locating new development

Local Plan Part 2 Sites and Development Management Development Plan Document

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

Relevant Advice

NPPF Chap 6: Building a strong competitive economy
NPPF Chap 12: Achieving well designed places

Plan Policy Designations and Constraints

Countryside
SINC - Higher Court Wood
Footpath FP4 Damerham
Cranborne Chase Area of Outstanding Natural Beauty
Tree Preservation Order: 10/99/W1
Avon Catchment Area

6 PARISH / TOWN COUNCIL COMMENTS

Damerham Parish Council - PAR4 recommendation as the application seeks to regularise possible previous breaches of planning and encroachment in to woodland so therefore fails Policy STR2 as unacceptable impact on the AONB and protection of the countryside.

7 COUNCILLOR COMMENTS

Cllr E Heron - The application seeks to enlarge the extent of the site encroaching into land designated as countryside, contrary to policies STR2 and DM22. Insufficient evidence is provided to establish that any deviation from the 1992 consented development boundary has been in continuous use for 10 years and therefore any assertion as to existing lawfulness within the supporting documentation is ill-founded.

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

Environmental Health (Pollution) - This site has been the subject of noise complaint due to the operations on site, particularly over the last 2 years or so. The application is for a boundary fence, which is now also intended to be used as an acoustic fence, although this is very much a secondary benefit as detailed in the Design and Access Statement. Although the fence is detailed as a close boarded fence, there is no detail to the quality or mass of this, which will have an impact on the effectiveness as an acoustic fence. In addition, a barrier will have the most benefit situated either adjacent to the noise source(s) or adjacent to the receptor(s). The actual location of the fence on the site boundary will limit its effectiveness, and may not resolve concerns regarding noise impact from the existing/extended uses on its own. It is suggested that this application is accompanied by a noise impact assessment from the applicant to assess the impact, particularly considering the change of use of parts of the site to the north and north west of the site and to include the expected mitigation provided by the proposed fence.

Environmental Health (Contaminated Land) - The EA's Wessex Waste team did attend site in April 2021 after reports were received from NFDC regarding potential waste deposits. No offences were found, but they found that there were stockpiles of product, not waste, within the yard that belongs to a civil engineering company. It is likely that there is some contamination on the site from its use a civil engineering business, but unless ground invasive works are included in the application to effectively mobilise potential contaminants, the site is suitable for its current/proposed use.

Environment Agency - no comments received

NFDC Tree Officer - Object. This site is adjacent to protected woodland protected by TPO. The yard appears to have expanded into this woodland, with materials and storage beyond the area defined by the original consent, resulting in loss and damage to trees. The proposal is to erect 2m perimeter fence and moving the boundary of this site into the woodland. The applicant has submitted a tree report, which addresses the incursion into the woodland and giving possible mitigation for the damage that has occurred. The report also specifies the removal of materials/machinery within the woodland, but does not include any specification on the installation of the 2m fence. This will require excavation within the root protection areas of the protected woodland trees so this will have an impact. The yard should

be limited to its original size and all encroachment must be removed with new woodland edge tree planting established to mitigate damage.

NFDC Ecologist - Encroachment over the years on the woodland is disappointing, being a SINC, designated under Criteria 1A – Ancient Semi-Natural Woodlands. The woodland is also on the ancient woodland inventory and is subject to a TPO. Ancient woodland is irreplaceable. Should this application have come in via more conventional means on ecological grounds I would have recommended it for refusal, supported by national planning policy.

Two lighting columns are shown on the woodland edge. It is not clear if these are proposed or existing. If proposed, I would strongly object to this. Woodlands, in particular ancient woodlands are of significant value to bats and in the New Forest context often to rare Annex II bats species including Barbastelle and Bechstein. No study or assessment of the use of the woodland by bats has been undertaken and in any case having lamp columns right on the woodland edge is unlikely to be acceptable and would compound impacts already experienced.

The Tree Team should advise whether impacts could be expected with construction of the fence itself. Ancient woodland given its importance is normally well buffered. Whilst I am keen to stop any further encroachment on the woodland and a fence would help achieve this, I feel this should be offset from the woodland.

Limited tree planting is proposed, whilst welcomed this is wholly insufficient given the encroachment that has occurred into an irreplaceable habitat, ancient woodland.

9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received.

- This application represents the wrong approach to the continuing and serious breaches of planning control at Courtvale Farm.
- The lack of enforcement action by NFDC is criticised, which should have been taken prior to considering the current retrospective application.
- The lawfulness of various aspects is queried, in respect of what is unlawful and susceptible to enforcement, and what is unlawful but possibly immune from enforcement, before even trying to take a view on the application. It is clear that a lot of the encroachment has occurred since 2017, supported by aerial photographs dated 2017, 2018 and 2020, which show very recent additional encroachments and protected tree felling.
- While the 1993 permission is acknowledged, the land use is in the wrong place. A civil engineering compound should not be located in a quiet rural area, causing harm to the AONB and woodland, and close to a house, causing operational noise which cannot be avoided.
- The encroachments which the application seeks to regularise cannot guard against unacceptable levels of operational noise. In recent months an acoustic consultant has undertaken measurements of noise and the report by Hayes McKenzie has been submitted.
- The EHO is asked whether or not there is an existing statutory noise nuisance and whether an Abatement Notice should be served.
- The encroachments and ground level changes have an impact on visual amenity from a garden and from the public footpath to the south west within the AONB that no tree planting will effectively mitigate. Only the restoration of the unlawfully felled woodland and removal of the dumped material which enabled most of the encroachments, will restore the visual amenity of the area.

- A new permission could not secure the removal of the fill which has encroached upon a watercourse. Whilst it is not a main river, it is fed from a spring and is in a non statutory water source inner protection zone 1.
- The Council has already determined a breach of condition 2 of the 1993 permission, which specifies that the workshop (since extended and retrospectively consented) shall only be used for the maintenance and repair of vehicles plant and machinery used for the authorised business. Condition 4, in respect of which a breach has also been determined, prohibits any fabrication, construction or industrial activity. Condition 6 prohibits the use of land outside the site for the business. This is the (determined) breach the current application seeks to address and does not address the other acknowledged breaches.
- The increased volume of traffic on an otherwise quiet rural road with no footpath will create greater noise and increased danger to other road users.
- Dust, dirt and noise from the onsite equipment operating is noisy and detrimental to the local environment and the ANOB.
- We reject what is said on page 3 of the DAS about the planning unit. The 2014 permission for retrospective consent for a workshop extension could not have expanded the planning unit represented by the area of the 1992 permission.
- Material tipped on the site to raise the ground level in the SW corner was contaminated waste from other sites and has been illegally disposed of here.

The objector has also highlighted what they consider to be errors within the application documents as follows:

- The description of the development needs redrafting in relation to change of use of part of the land
- Application Form S6: the storage and use of diesel oil on the land needs to be addressed, together with bunding requirements.
- Application Form S9 is incorrect. It is clear that the unapproved works for which retrospective planning is being sought increases parking.
- Application Form S10 is incorrect, especially when considering the trees which have already been felled.
- Application Form S11 is wrong as there is a watercourse within 5m. How will surface water flows be addressed?
- Whether under Application Form S12 or elsewhere the presence of deciduous trees in an ancient woodland should be noted as well as the presence of bats.
- Application Form S13 needs an answer in an area without mains foul drains.
- Application Form S18 states there are no employees on the site, this is incorrect.
- Application Form S22 is wrong as the site and the activities upon it, can be seen from a public footpath to the south west as a result of the ground level being raised by tipped waste material.
- Within the biodiversity checklist the answers to section 3.2 (streams and ponds) and 3.4 (scrub etc because of bats) are queried.
- The aerial images in the DAS are annotated with incorrect boundary information in respect of Land Registry (HP78867) information.

The objector has also stated that if permission is granted the following conditions/limitations should be imposed:

- The description of the development should list the permitted uses or alternatively be conditioned. At present activities include the movement of vehicles with reversing beepers, the grinding and cutting of metal, picking up and dropping of large plant machinery metal buckets, pressure washing, movement of tracked plant and equipment which causes vibration. Some or all of these uses may be lawful if within the 1992 permitted area which itself makes that consent next to a house a serious error. It makes it all the more necessary to clearly define permitted uses so as to prevent use creep.

- Hours of work should be restricted to 0800 - 1700 on Mondays to Fridays and 0800 - 1200 on Saturdays with no Sunday or public holiday working.
- The number of vehicle movements to and from the site should be restricted, as defined in the 1992 consent.
- The ability to control noise satisfactorily of the encroachments is queried. An acoustic fence may be of benefit, and a fence for visual reasons would be welcome, but must be as specified following expert advice.
- Details of a noise management plan.
- Tree planting and landscaping.

For: 0

Against: 5

10 PLANNING ASSESSMENT

Principle of Development

The site benefits from an extant planning permission granted in 1993 for use as a civil engineering business. Therefore, the principle of the main site's usage for this purpose is established. The main considerations here are whether it is acceptable to enlarge the site from the boundary agreed in 1993, the impacts of the fence and operational development and whether it would be beneficial to physically define the extent of the site boundary to prevent further encroachment, which are considered below.

Planning history of the site

When planning permission was originally granted in 1993, under planning ref. 50671, a planning condition was imposed which restricted the use of the site to C J Lee and Sons (Damerham) Ltd only. A subsequent planning application in 2017 granted removal of the condition to allow the use of the site for a civil engineering business including ancillary office, covered stores, open storage, vehicles parking, workshop without any personal restriction. In 2014 planning permission was granted for retention of single storey office extension on the site.

As the site benefits from a planning consent. members are not being asked to consider the principle of a Civil Engineering business in this location. What is open to consideration is the encroachment of the compound and raised land, which goes beyond the extant permissions.

Objectors have queried the lawfulness of the change of use/ engineering operations, which this application seeks to formalise. They consider insufficient evidence has been provided by the applicant to support their assertion that any deviation from the 1992 consented development boundary has been in continuous use for 10 years.

When assessing whether an unauthorised development has become 'lawful' through the expiry of time, relevant test is applied by Section 171B of the Town and Country Planning Act. This states that 'where there has been a breach of planning control consisting in the carrying out without planning permission of building, engineering, mining or other operations in, on, over or under land, no enforcement action may be taken after the end of the period of four years beginning with the date on which the operations were substantially completed'. On review of the aerial photographs

submitted by both the applicant and notified parties and particularly the image from 6th July 2018, it would appear that Areas 1 and 2 are beyond the blue line of the 1992 consent, have been built up quite recently and have not been in continuous use as part of the civil engineering compound for a period of 4 years or more. Use of Area 3 has been ongoing for a longer period and does not appear to have been subject to engineering operations, being utilised for the storage of plant. Without undergoing a forensic exercise to establish the lawfulness of the encroachment, it appears to officers that were the applicant to apply for a lawful development certificate for an existing use, then that would likely be refused, at least for Areas 1 and 2.

Notwithstanding the lawfulness of the operational development undertaken, the applicant has applied for planning permission, seeking to formalise the works. Consideration of the encroachment, change of use and engineering operations undertaken are assessed on their own merits, as outlined below.

Impact on residential amenity of adjacent neighbouring properties, in respect of light, visual intrusion, disturbance and privacy

Policy ENV3 of the Local Plan Part 1 seeks to ensure that new development shall not cause unacceptable effects to adjoining land uses in terms of visual amenity and adverse impacts upon the residential amenity of existing and future occupiers.

The site directly adjoins the boundary of the nearest dwelling (Court Vale) to the south. It is separated from the boundary of the next nearest dwelling (Yafflewood) to the north by 10m, through deciduous woodland. It is acknowledged that the intensity of use of the site has increased since 2017, when the site was occupied by a new tenant. This is evidenced by the comments of notified parties and Environmental Health, who confirm that the site has been the subject of noise complaint, particularly over the last 2 years, although no abatement notice has been served as no statutory noise nuisance has been identified.

It is clear that operation of the civil engineering yard involving the movement of large vehicles, plant and associated operations causes noise, which can be heard from neighbouring properties. The neighbour to the north has requested imposition of a condition to restrict the site's operations to between 0800 - 1700 on Mondays to Fridays and 0800 - 1200 on Saturdays with no Sunday or public holiday working. The existing planning permission places restrictions only on the maintenance and repair of 'the applicant's' equipment plant or vehicles on the site between the hours of 7am and 7pm Mondays to Fridays and 7am to 1:00pm on Saturdays and not at all on Sundays and recognised Public Holidays to safeguard the amenities of nearby residential properties. These conditions apply only to the maintenance and repair of the applicant's vehicles, not to their movement or other operations on the site it would not be reasonable to reduce the hours relation to the approved site. It would not be feasible to impose, monitor and enforce operational conditions only upon the encroached upon land. As such, the amenity related conditions from the 2017 planning permission are re-imposed here.

An Acoustic Report Review was provided by the applicant in response to a Noise Investigation provided by a notified party. Both documents conclude that there is occasionally, a significant adverse impact, with machinery being audible and intrusive within the garden of Yafflewood. It is accepted that noise from an engineering depot would be audible at an immediately adjacent property in a rural locality. The land use is consented within the boundary of the 1993 permission and therefore it is necessary to assess whether the subsequent encroachment of the yard area lead to significantly greater noise disturbance than consented. It is considered that the extent of the enlarged compound area, particularly as amended

is not large enough to result in any significant increase dust, dirt and noise from the operation of the site. However, the operator should follow best practical means to minimise the noise impacts and how often they occur, which can be controlled through the proposed hours of operation conditions.

The erection of a 2m high fence on the northern boundary would have little effect on low frequency noise, but there may be some small benefit for high frequency noise sources (such as sawing). Details of a 2m close boarded fence were submitted, but it is considered that this must be a robust fence, in light of the nature of use of the site by heavy machinery, which might readily damage a lightweight structure. Further details relating to the materials, quality and mass of the fence will be required by condition. In addition it was requested that the boundary of the site was brought in from the north along a less irregular line, with the areas currently encroached upon re-planted with woodland trees.

With the exception of Area 3, the applicant has amended the original submission to define the boundary of the site between 2m and 13m away from the 1993 boundary. While a robust fence and movement of the boundary to the south would not remove noise in its entirety, they would have the benefit of providing a definitive boundary to prevent encroachment in future and provide a marginal acoustic benefit.

Whilst the applicant would retain some of the previously encroached upon land within their compound, the boundary of the site will be moved slightly to the south. It should be noted that the applicant could fall-back on the area of the 1993 permission and there would be no requirement for a fence. This would clearly be a disbenefit in identifying the operational area of the site and future encroachment would be very difficult to control. A pragmatic stance needs to be taken in bringing this matter to a conclusion and officers consider that the proposal is acceptable on the basis that it will clearly define the boundary of the site with a robust fence line in order to prevent future encroachment, as well as provide marginal noise attenuation benefits.

The proposal does not have any significant adverse impacts on privacy, light or outlook of adjoining occupiers and the proposal is in line with Policy ENV3.

Impact on the character and appearance of the area, including the countryside, AONB and protected trees

Policies ENV3 and ENV4 require new development to respect the character, identity and context of the countryside and seek to ensure that all new development is appropriate and sympathetic to its setting. Policy STR2 is relevant as the site is within an area designated as AONB. Policy DM22 requires development to be of an appropriate design, scale and appearance in keeping with the rural character of the area.

The only aspects of the proposal which would impact upon the character and visual amenity of the site are the fence, raised ground and the openly stored plant and equipment within the land which has encroached into the woodland. It is unfortunate that trees appear to have been removed or damaged as a result of the incremental encroachment.

The issue of lost or damaged trees has been raised by the Tree Officer, who notes that the yard appears to have expanded into the woodland, with materials and storage beyond the area defined by the original consent, resulting in loss and damage to trees, which is objected to. The Tree Officer notes that the applicant's tree report addresses the incursion into the woodland, giving possible mitigation for the damage that has occurred, but does not include any specification on the

installation of the 2m fence, which will require excavation within the root protection areas of the protected woodland trees. Drawing the site boundary to the south, away from the woodland boundary will assist in this regard, but a condition is recommended requiring a scheme for the protection of trees on and adjoining the site, in relation to the installation of the fence to be submitted for approval prior to its installation and requiring it to be erected in accordance with the approved details.

The applicant proposes implementation of landscaping to soften the appearance of the compound and fence in the landscape and to compensate for lost trees. The application outlines rudimentary details of additional planting to compensate for loss and to assist with screening the site from wider views. To this end it would be appropriate to plant native tree species along the south western boundary of the compound, to screen from views from FP4 Damerham and within Areas 1 and 2, full details of which will be required by condition.

Subject to full implementation of the landscaping scheme, the proposal does not pose any significant adverse impacts on the character and appearance of the area or landscape in accordance with Policies ENV3, ENV4, STR2 and DM22.

Impact on biodiversity and protected species

The Council's Ecologist expresses disappointment over the encroachment of the compound into the woodland, being a SINCE, on the ancient woodland inventory and subject to a TPO. A query is raised over the two lighting columns on the woodland edge, not being clear if these are proposed or existing. The lighting columns are existing, although the applicant offers to relocate them for a more sensitive, alternative arrangement, on the basis that this would enhance the woodland edge as a habitat and foraging environment for bats. The Ecologist is keen to stop any further encroachment on the woodland and the fence, offset from the woodland would help achieve this. It may well be the case that replacing the two lighting columns, with 2 no. fence mounted lights would offer a marginal benefit from an ecological perspective, as this would shield the woodland from light spillage, which will be ensured by condition.

The limited tree planting is welcomed, but is considered insufficient given the encroachment that has occurred into an irreplaceable ancient woodland habitat. Nevertheless full details of tree planting, their number, species, size and location will be required by condition. Planting will be expected to be of native species, which will adapt to the ground conditions and enhance biodiversity, details of which will be addressed by condition.

Impact on provision of employment land and economic development

The Council's saved and adopted local planning Policies CS21 and DM22 support employment related developments that help sustain the rural economy but not harm the countryside. Specifically Policy DM22 states that development should be of appropriate design, scale and appearance and should not be harmful to the rural character of the area.

The site generates local employment opportunities and makes a contribution toward the local economy. It is important that existing and successful businesses in the New Forest are given the opportunity to expand and grow their workforce, but not to the detriment of the adjoining amenity or appearance of the countryside. The applicant has accepted the amendments to the proposal in the interests of adjoining amenity, character of the area, trees and ecology.

Overall the amended proposal is consistent with Policies CS21 and DM22 which seek to promote the re-use of existing permanent rural buildings for employment purposes and to promote economic development.

Potential for Contamination

It is suggested that material tipped on the site to raise the ground level in the SW corner was contaminated waste from other sites and has been illegally disposed of here. The Council's Contaminated Land Section acknowledge that it is likely that there is some contamination on the site from its use as a civil engineering business, but unless significant invasive ground works are included in the application to effectively mobilise potential contaminants, the site is suitable for its the proposed use. It is uncertain what material has been used to make up the land levels, but the view of the Contaminated Land Team is that as long as it is not disturbed it will cause no problems. It is understood that the Environment Agency are aware of activity on the site and have previously investigated, but that no offences were found to have taken place. The Environment Agency has not directly responded to the Council's consultation on this application, but have been prompted for comment on this matter. Any comments received from the Agency will be reported to Members.

Other Matters

In respect of the comments of notified parties, not addressed above it is standard practice not to take formal enforcement action if a planning application has been submitted and is under consideration by the Local Planning Authority. Enforcement action can rightly be undertaken following refusal of any application, otherwise the planning application process can be utilised to formalise the works, subject to amendments or not.

There is a watercourse between 0m and 25m away from the toe of the tipped material at the western and south western extent of the site, but from a site inspection, the watercourse does not appear to have been encroached upon, its flow uninterrupted to the south. The Environment Agency is the body responsible for watercourses and are aware of activity on the site and have previously investigated, but no offences were found to have taken place. The Agency have been prompted for comment on whether there has been encroachment upon the watercourse.

The extent of the enlarged compound area, particularly as amended, is not large enough to result in any significant increase in traffic volume accessing the site or detriment to highway safety.

It is requested that the description of the development should list the permitted uses or alternatively be conditioned, pointing out that existing activity includes the movement of vehicles with beepers, grinding and cutting of metal, picking up and dropping of large plant machinery metal buckets, pressure washing and movement of tracked plant and equipment. These are all activities that might reasonably take place within a civil engineering compound and are acceptable within the terms of the 1993 permission. A civil engineering compound does not fall into any specific use class, being sui generis.

11 CONCLUSION

It is unfortunate that the applicant has expanded the operational area of the compound, without first seeking planning consent, however the amended proposal is consistent with adopted policies which seek to enhance opportunities for rural employment development, where it is limited to ensure the development remains of a scale and character appropriate to its rural setting. To define a clear boundary

through the erection of a robust fence, which will prevent some noise breakout from the site, is a pragmatic solution to prevent future encroachment and best protect adjoining amenity, character of the area, protected woodland and ecology. Accordingly it is recommended for approval, subject to conditions.

12 RECOMMENDATION

Grant Subject to Conditions

Proposed Conditions:

1. The development permitted shall be carried out in accordance with the following approved plans: Tree Management Proposals by Barrell dated 7th July 2021, Design Access and Planning Statement by Jerry Davies Planning Consultancy, 1:1250 Site Location Plan, Drawing number JDPC.CVF.020 - Proposed Site Plan, Drawing number JDPC.CVF.021 - Close Boarded Fence and an Acoustic Report Review by Venta Acoustics dated 27th August 2021.

Reason: To ensure satisfactory provision of the development.

2. The workshop shall only be used for the maintenance and repair of vehicles plant and equipment used ancillary to the use of the site as a civil engineering depot and for no other purposes.

Reason: To safeguard the amenities of nearby residential properties in accordance with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

3. The maintenance and repair of any equipment plant or vehicles shall only be undertaken on the site between the hours of 7am and 7pm Mondays to Fridays and 7am to 1:00pm on Saturdays and not at all on Sundays and recognised Public Holidays.

Reason: To safeguard the amenities of nearby residential properties in accordance with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

4. No industrial constructional or fabrication work shall be undertaken on the site other than that necessary in connection with the maintenance or repair of the applicant's vehicles plant and equipment.

Reason: To safeguard the amenities of nearby residential properties in accordance with Policy ENV3 of the Local Plan Part 1 for the New Forest District outside the National Park.

5. No more than three heavy good vehicles, as defined by the Transport Act 1968 (as amended), shall use and operate from the site.

Reason: To safeguard the amenities of nearby residential properties in accordance with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

6. The areas shown on the approved plan for the parking, loading and unloading of vehicles shall be made available and reserved for that purpose at all times.

Reason: To ensure adequate parking provision is made in the interest of highway safety and in accordance with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

7. Before development commences a scheme of landscaping and boundary treatment 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) means of enclosure, including precise details of the height, materials and construction of the boundary fence;
- (d) details of proposed external lighting

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 Policies ENV3 and ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

8. All external works (hard and soft landscape) 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 Policies ENV3, ENV4 and STR2 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

9. Before development commences on the boundary fence (including site clearance and any other preparatory works) a scheme for the protection of trees on and adjoining the site, in relation to the installation of the fence shall be submitted to and approved in writing by the Local Planning Authority. Within three months of the date of this consent, the boundary fence shall be erected in accordance with the approved details and retained in perpetuity in accordance with the approved details.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area and avoid damage during construction in accordance 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.

10. During installation of the fence no fires, building operations, storage of goods including building materials, machinery and soil, or discharge of any chemical substances, including petrol and diesel , shall be undertaken within the tree protection zones or within the canopy spreads, whichever is the greater, nor shall any change in soil levels or routing of services within those defined areas be carried out without the prior written approval of the local planning authority.

Reason: To protect the said trees in the interests of the visual amenities and character of the locality, in accordance 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.

Further Information:

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New Forest DISTRICT COUNCIL

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PLANNING COMMITTEE

May 2022

COURTVALE FARM, COURT HILL
DAMERHAM
FORDINGBRIDGE SP6 3HL
21/11036

Scale 1:1250

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

