

Application Number: 23/10559 Full Planning Permission
Site: SOUTH ALLENFORD FARM, NORTH END, DAMERHAM
SP6 3JW
Development: Conversion of existing barn into holiday accommodation
Applicant: Mr Shepherd
Agent: Southern Planning Practice
Target Date: 04/09/2023
Case Officer: James Gilfillan
Officer Recommendation: Refuse
Reason for Referral to Committee: Parish Council contrary view

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) The principle of the development, including the impact on the character and appearance of the area, including the National Landscape
- 2) Ecology
- 3) Accessibility
- 4) Other matters

2 SITE DESCRIPTION

The site is located in the open countryside between the villages of Damerham and Martin in the Cranborne Chase National Landscape. The application relates to a small agricultural building located to the south west of the farm house its associated buildings.

It is accessed from Martin Drove End road via a gravel track and is surrounded by agricultural fields.

The building subject to the application is a small brick and slate open fronted barn with a concrete floor.

No details have been provided to describe how the building has been used. Its current construction and appearance does not provide any evidence of use.

3 PROPOSED DEVELOPMENT

The scheme proposes conversion of existing barn into holiday accommodation

4 PLANNING HISTORY

| Proposal | Decision Date | Decision Description | Status |
|---------------------------------------|---------------|----------------------|---------|
| 17/11095 Use of barn as wedding venue | 19/10/2017 | Refused | Decided |

5 **PLANNING POLICY AND GUIDANCE**

Local Plan 2016-2036 Part 1: Planning Strategy

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

Policy STR4: The settlement hierarchy

Policy STR6: Sustainable economic growth

Policy ENV1: Mitigating the impacts of development on International Nature Conservation sites

Policy ENV3: Design quality and local distinctiveness

Policy CCC2: Safe and sustainable travel

Policy IMPL1: Developer Contributions

Local Plan Part 2: Sites and Development Management 2014

DM2: Nature conservation, biodiversity and geodiversity

DM13: Tourism and visitor facilities

DM22: Employment development in the countryside

Local Plan Core Strategy 2009

CS19: Tourism

CS21: Rural economy

Supplementary Planning Guidance And Documents

SPD - Mitigation Strategy for European Sites

National Planning Policy Framework

National Planning Policy Guidance

Cranborne Chase Partnership Plan

Plan Policy Designations

Countryside

6 **PARISH / TOWN COUNCIL COMMENTS**

Damerham Parish Council

Damerham Parish Council voted all in favour of recommending PAR3, subject to adherence to the ecological report and use of lighting in line with the Dark Skies policy. Approval is recommended for the following reasons:

- Good use of an existing building and the structural report is satisfactory
- Sympathetic design

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

New Forest DC

Ecologist: Impacts from recreational activities on New Forest habitats and on water quality in River Avon habitats should be assessed and mitigation secured. Evidence of protected species of bats and owls should be assessed and mitigated to ensure their favourable status is maintained.

Hampshire County Council.

HCC Rights of Way: No objection subject to conditions ensuring the adjacent PROW is kept clear during construction and from any landscape or boundary enclosure to the area around the proposed building.

Others.

Cranborne Chase National Landscapes: Object to the impact of the proposed change of use on the tranquility of the area, a change in character and appearance that would urbanise the rural character and conflict with the purpose of designating the area as a national landscape, this would also include the introduction of lighting at night, detrimental to the dark skies reserve. Also query the ability to service the site with water and electricity.

9 REPRESENTATIONS RECEIVED

None received

10 PLANNING ASSESSMENT

Principle of Development and impact on the character and appearance of the area

The site is outside the built up area as defined by the policies map. Strategic policy STR3, of the Local Plan, seeks to direct development to the identified towns and villages in the district.

The closest village, Damerham, is included in the list of small rural villages included at paragraph iii) of policy STR4 'The Settlement Hierarchy'. Villages that do not have a defined built up area but have a gradual transition from settlement to countryside, they have limited access to facilities and workplaces and are suitable for small scale uses appropriate in a countryside setting and that help to maintain community life including small scale housing development specifically to meet local housing need.

At approximately 2km from the centre of the village the application site is beyond the area of transition, so does not contribute to the visual transition and stands as an individual building, very much surrounded by an open agricultural landscape setting, within the Cranborne Chase National Landscape. .

NPPF directs LPA's to prepare policies and make decisions to support a prosperous rural economy. It states at paragraph 88 (a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings

and well-designed new buildings, should be enabled. This scheme proposes to make use of existing buildings on site. However, Damerham has very little by way of services to offer visitors. Whilst residents of the proposed development visiting its pub or those in other nearby villages such as Cranborne or the wider services available in Fordingbridge, may be an economic benefit, such benefit would be very minor due to the scale of the proposal.

At NPPF paragraph 89 *inter alia* it recognises decisions may have to support schemes outside existing settlements, in locations not well served by public transport. STR3 also accepts development will occur and also be acceptable beyond the defined settlements, concluding that development will generally be restricted unless the development is appropriate in a rural setting in accordance with saved policy CS21 of the New Forest Core Strategy 2009, "Rural Economy".

Policy CS21 sets a strategy for the rural economy focusing on employment, supporting existing employment and seeking to benefit existing services and facilities. The proposal would not relate to existing employment opportunities, nor introduce new opportunities for existing residents. However, saved policy CS19 "Tourism", does support provision for tourists in the countryside through the reuse of existing buildings where these would benefit local communities and the local economy. As indicated above, there are few facilities in the locality to benefit from the tourists using the proposed development and any benefits would be very minor due to the small scale of the development.

The aspirations of those saved Core Strategy policies are largely replicated by policies contained with Local Plan part 2, sites and DM policies.

Policy DM13 allows for visitor accommodation where it is being provided through the conversion of existing buildings, that are of an appropriate scale and appearance to its rural setting and structurally sound, so it can be re-occupied without major rebuilding. This is cross referenced to and re-iterated by Policy DM22

The building subject to the application is of sufficient structural integrity to be able to accommodate the proposed use. Whilst new partition walls, an external wall and openings are proposed, they are not fundamental to the continued stability of the structure of the building and are directly related to the enhancement of the quality of the building for the intended use.

Policy DM13 requires development proposing re-use of an existing building to be of an appropriate scale and appearance to its rural setting. Paragraph 182 of the NPPF requires great weight is placed on conserving the landscape and scenic beauty of National Landscapes and a similar expectation is required by Local Plan policy STR2.

Local Plan Core Strategy saved policy CS19 "Tourism" also seeks to support the local tourism industry, by raising the quality of the tourism 'offer', extend the duration of stay in the area and an emphasis on the retention and provision of serviced accommodation. Whilst it does direct new serviced accommodation towards the district's towns and villages, it also accepts the reuse of existing buildings, in the countryside, where these would benefit local communities and support the local economy.

The building is currently a simple single skin brick construction, with timber frame supporting a slate roof. It has one side completely open, with three timber posts supporting the roof. The open side will require enclosure in order to form the habitable accommodation. Doors and windows will be installed in 3 elevations and the new south elevation would be timber clad with vertical windows.

The Council recently received an appeal decision from the Planning Inspectorate, upholding the Council's decision to refuse planning permission at Woodpecker Wood, Court Hill, Damerham, to convert an existing building to form a residential dwelling (NFDC ref:23/10345). This site is also in Cranborne Chase National Landscape. One of the reasons for refusal was the impact of the scheme on the character and appearance of the area, in considering this point the Inspector opined

"The proposed dwelling would convert the existing building, cladding the walls with timber and replacing the roof with natural slate. Unlike the functional, utilitarian appearance of the existing building, the dwelling would have a legibly residential appearance, with domestic style new doors and multiple windows. The provision of parking and turning areas, a garden and the appearance of the dwelling, would all serve to harmfully erode the natural character and appearance of the woodland."

There are such similarities between that appeal scheme and the scheme under consideration here at South Allenford Farm, with respect to consideration of the character and appearance of the area, and the requirement to place great weight on conserving and enhancing the landscape and scenic beauty of National Landscapes, that a similar conclusion could be reached.

The existing building has a functional and utilitarian appearance, the resultant building would have a legibly residential appearance, with domestic style new doors and multiple windows. These changes would extensively alter the rural character and appearance of the building, within its setting and more significantly within the Cranborne Chase National Landscape. It also proposes a degree of domestication to the appearance of the site and setting through the provision of parking and outdoor amenity space that would not sit comfortably in the context and would all serve to harmfully erode the natural character and appearance of the site.

Such changes do not readily respond to local plan policy ENV3, where by development should achieve a high quality design that contributes positively to local distinctiveness, that is sympathetic to its environment and context.

Despite the size of the building it would still give rise to a degree of artificial lighting escaping the building at night time, likely to conflict with the preservation of the area as a dark skies reserve, especially as it would introduce illumination in an area where none is currently present.

In the Woodpecker Wood case referenced, the benefit of providing one additional dwelling was not considered sufficient to outweigh the harm identified. The same conclusion is reached in respect of this case.

Due to the proposed changes to the appearance and setting of the building to facilitate its conversion, it is considered that the proposal would fail to achieve the high quality design and appearance required to preserve the rural setting. This conflicts with policy DM13 and ENV3. Furthermore it would conflict with the desire to protect the tranquility of Cranborne Chase national landscape including from nighttime glare, conflicting with policies CS19 (e), STR2 and the instruction of the NPPF to place great weight on the need to preserve the scenic and landscape quality of a National Landscape.

Ecology

The existing barn is not located in or adjacent to any internationally designated sites of nature conservation interest. There are international and locally designated sites in close proximity to the site, but not so close that the proposal would have any direct

impact. The proposed use would however give rise to impacts on protected habitats in the New Forest National Park from recreational activities. This is covered below in 'Habitat mitigation'.

The application is supported by an ecological appraisal that identifies evidence of protected species of bats and owls within the building.

The building is classed as providing 'high' bat roost potential, the roof and walls provide ample opportunity for bats to access voids for roosting. Such use will require conversion works to be undertaken with supervision, at a suitable time of year and mitigation measures such as installation of bat boxes in the area as a suitable roost alternative would avoid harm.

A bat licence would be required to permit the works to proceed whilst avoiding harm to the bats, should the development be approved, it would be on the basis that it is considered to be an appropriate use of the building and in the public interest to permit the proposal. As the only building available there is no satisfactory alternative and based on the mitigation measures identified, the favourable conservation status of the species would be maintained.

A condition could ensure such a licence is received before potentially harmful development occurs.

The survey of the building also identified barn owl pellets in the building, though no evidence of a nest was identified. The ecology report indicates installation of a barn owl box on a nearby tree would be appropriate mitigation

The NFDC ecologist advocates that should planning permission be granted a condition is imposed securing a resurvey of the building for its use by barn owls and appropriate mitigation secured. However the age of the survey is not an impediment to making such a positive decision.

Habitat Mitigation

In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') and Local Plan policy ENV1 an Appropriate Assessment has been carried out as to whether granting 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. Although the adverse impacts could be avoided if the applicant were to enter into a Section 106 legal agreement to secure a habitat mitigation contribution in accordance with the Council's Mitigation Strategy, no such legal agreement has been completed in this instance. As such, it is not possible, in respect of recreational impacts, to reach a conclusion that adverse effects on European sites would be avoided.

Phosphate neutrality and impact on River Avon SAC

In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') and Local Plan policy ENV1 an Appropriate Assessment was carried out as to whether granting planning permission would adversely affect the integrity of the River Avon European sites, in view of those sites' conservation objectives, having regard to phosphorous levels in the River Avon. However, Natural England has drawn attention to the fact that the submitted Appropriate Assessments (AA) rely on the delivery of the phosphate neutrality measures set out in the River Avon SAC – Phosphate Neutral Development Plan Interim Delivery Plan (Wood

Environment & Infrastructure Solutions UK Limited – January 2019). The Interim Delivery Plan set out mitigation measures for new development up to the end of March 2020, and thereafter relied on the delivery of the Wessex Water River Avon Outcome Delivery Incentive (ODI), if fully in place. Natural England's view is that, as the initial Interim Delivery Plan period has now concluded, the submitted AAs should not simply be rolled forward, at least without a valid evidence-based justification that provides the required reasonable certainty for phosphate neutrality. They also note that circumstances are different from those of when the Interim Delivery Plan was first agreed because of external developments in caselaw, notably the Dutch case (Joined Cases C-293/17 and C-294/17 Coöperatie Mobilisation for the Environment UA and Others v College van gedeputeerde staten van Limburg and Others).

With regard to current proposals, Natural England agrees with the competent authority that the plan or project for new residential development, without mitigation, has a likely significant effect on the River Avon Special Area of Conservation (SAC). The site is also listed as a Ramsar site and notified at a national level as the River Avon System and River Avon Valley Sites of Special Scientific Interest (SSSIs). Listed Wetlands of International Importance under the Ramsar Convention (Ramsar) sites are protected as a matter of Government policy. Natural England considers that impacts of phosphates on the Ramsar interest features are likely to be similar to the impacts on the SAC. As the Council cannot now rely on the Interim Delivery Plan to address phosphate levels in the River Avon, there needs to be a mitigation project to provide this development with a phosphate budget that will enable the development's phosphate impact to be offset. Such a project has now been secured and a Grampian style condition can be imposed that will secure the appropriate level of phosphate mitigation.

Highway safety, access and parking

The site is accessed from Martin Drove End by the existing gravel farm track. This track would be able to accommodate the low volume of vehicle movements generated by the development.

Being one bedroom the proposed holiday unit is highly unlikely to attract more than one car when in use. It may still generate additional cleaning and food delivery vehicles, and to empty a septic tank, however the junction with Martin Drove End would be capable of accommodating such a scale of traffic.

Any conflicts between existing farm vehicles would be infrequent and occur off the public highway.

Space is shown on the site plan for a vehicle to be parked away from the farm track and Public Right of Way to avoid conflict with users. The PROW is wide enough that construction vehicles would not block access and the applicant would ensure that construction does not compromise everyday farm operations. Due to the limited extent of construction required it is not considered necessary to impose any controls in respect of the request made by the representation received from Hampshire CC Countryside officers.

Whilst the proposed accommodation may be attractive to visitors choosing to come to the area for recreational walking or cycling, it is too far from any services that most visitors would choose to drive for local services.

Heritage Assets

There are no listed buildings or conservation areas close enough to the site to be constraints or that the proposals would have an impact on their significance.

There is a scheduled ancient monument known as Soldiers Ring, approximately 0.5km away to the North West. A ring ditch, the levelled remains of a bowl barrow has been extensively eroded by ploughing. This is associated with nearby Damerham iron age/roman settlement. Archaeological remains may be present through out the area, however in the absence of alterations to the site that require excavations, the scheme would not have any impact on potential features of archaeological interest that lie below ground.

Residential amenity

Beyond the occupiers of the farm house, there are no residential neighbours within 0.5km of the application site. Whilst holiday makers may be prone to cause greater noise nuisance than standard residential occupiers, the proposals would not have an impact on the amenity of those occupiers due to the separation distance.

Tourist residential accommodation

The application seeks conversion to use as self-contained holiday accommodation. Such a use would fall within use Class C3 of the Use Classes Order 2020, it would be appropriate to ensure the use remains for holiday lets by imposing a condition as an unrestricted residential use would not be appropriate in relation to relevant policy guidance. However, restricting the duration of stays or to a summer 'holiday' season would not be reasonable or appropriate.

Developer Contributions

As part of the development, the following is required to be secured via a Section 106 agreement:

- New Forest recreation mitigation Infrastructure £2620
- New Forest recreation mitigation non-infrastructure £381

As part of the development, subject to any relief being granted the following amount Community Infrastructure Levy will be payable:

| Type | Proposed Floorspace (sq/m) | Existing Floorspace (sq/m) | Net Floorspace (sq/m) | Chargeable Floorspace (sq/m) | Rate | Total |
|-----------------|----------------------------|----------------------------|-----------------------|------------------------------|---------|-------------|
| Dwelling houses | 80 | | 80 | 80 | £80/sqm | £9,378.46 * |

| | |
|----------------|-----------|
| Subtotal: | £9,378.46 |
| Relief: | £0.00 |
| Total Payable: | £9,378.46 |

11 CONCLUSION / PLANNING BALANCE

Making use of existing buildings for more effective or efficient uses is a common thread of the NPPF, for which Development Plan policies present specific opportunities to do so, preservation of the landscape character of sites outside defined settlements is also a significant requirement of both local and national planning policy, against which the proposed development would conflict.

The economic benefits arising from the tourism use would be very minor and would not outweigh the failure to deliver a development that would preserve the character and appearance of the area and the conflict with the development plan as a whole.

12 RECOMMENDATION

Refuse

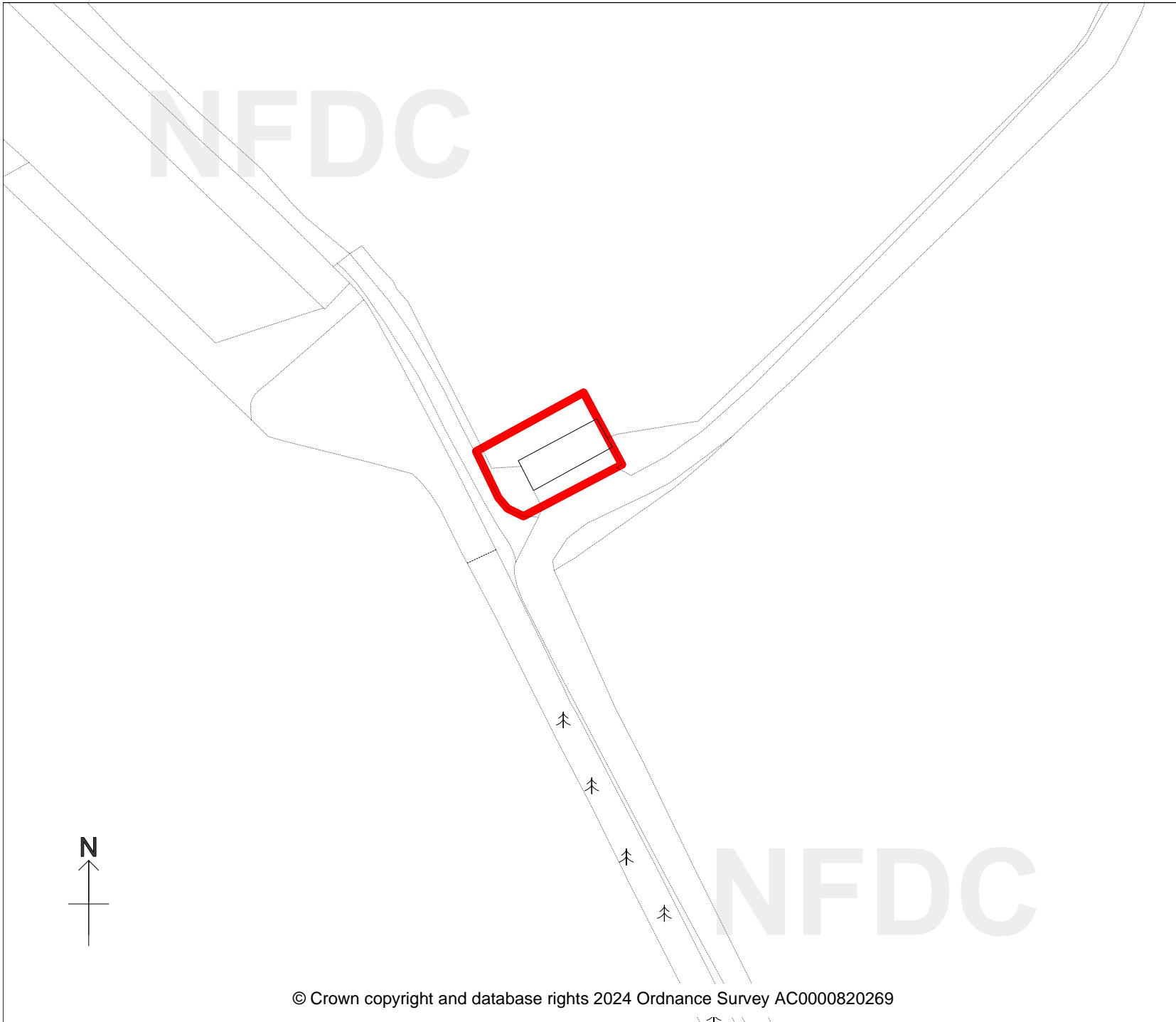
Reason(s) for Refusal:

1. The proposed changes to facilitate the proposed tourism use would fail to preserve the utilitarian and rural appearance of the existing building, resulting in a degree of domestication that would not preserve the character and appearance of the site, protect the scenic beauty and tranquillity or dark skies of the National Landscape and result in an isolated unsustainable development, contrary to policies STR2 and ENV3 of the New Forest District Local Plan part 1: Planning Strategy 2020, DM13 of the New Forest District Local Plan part 2: Sites and DM policies 2014 and CS19 of the New Forest Core Strategy 2009 and the NPPF.
2. The recreational impacts of the proposed development on the New Forest Special Area of Conservation, the New Forest Special Protection Area, the New Forest Ramsar site would not be adequately mitigated and the proposed development would therefore be likely to unacceptably increase recreational pressures on these sensitive European nature conservation sites, contrary to Policy ENV1 of the Local Plan 2016-2036 Part One: Planning Strategy and the Council's Supplementary Planning Document "Mitigation for Recreational Impacts on New Forest European Sites".

Further Information:

James Gilfillan

Telephone: 02380 28 5797



New Forest

DISTRICT COUNCIL

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

Mark Wyatt
Service Manager
Development Management
New Forest District Council
Appletree Court
Lyndhurst
SO43 7PA

PLANNING COMMITTEE

August 2024

South Allenford Farm
North End
Damerham
23/10559

Scale 1:1000

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