

Application Number: 25/11153 Full Planning Permission
Site: FOREST FARM, BARNES LANE, MILFORD-ON-SEA
SO41 0RR
Development: Change of use of land for use as storage - open
storage,shipping containers and vehicles. (Retrospective)
Applicant: Mrs Crawford
Agent: Acorus
Target Date: 06/03/2026
Case Officer: Jessica Cooke
Officer Recommendation: Refuse
Reason for Referral to Committee: Clarify advice given previously

UPDATE REPORT TO COMMITTEE MEMBERS

Members will recall that this application was recently considered at the February 2026 Planning Committee. Members resolved to refuse the application in accordance with the Officer recommendation. The original Officer Report is set out at the end of this Update Report as Appendix A.

Members will recall that the previous report provided a definition of an “agricultural holding” and concluded that the applicant had declared that the application site is not part of an agricultural holding. Officers gave verbal advice to the Committee in this regard also.

Following the Committee meeting, the applicant’s agent contacted the Council and advised that the application form and the declarations made by the applicant therein were correct. The agent advised that:

‘Certificate A is relevant if the applicant is the sole owner of the land to which the application relates and there are no agricultural tenants, so Certificate A was correct.’

Officers delayed issuing the decision in light of this information. Officers have taken their own advice on the matter and it is considered appropriate to update the Committee with regards to this issue prior to the decision being made. As a result, the application is presented back to committee.

Clarification on the matter of the Agricultural Holding Certificate:

As part of the planning application process, the applicant is required to complete and submit a Certificate of Ownership to confirm their legal interest in the land. This ensures transparency regarding land ownership and provides the Local Planning Authority with assurance that all relevant parties with a legal interest—whether freehold, leasehold, or otherwise—have been properly notified. Depending on the ownership position, the appropriate certificate (A, B, C, or D) must be completed in accordance with statutory requirements.

In addition, an Agricultural Holdings Certificate must be provided to confirm whether the land is subject to any agricultural tenancy under the Agricultural Holdings Act 1986 or the Agricultural Tenancies Act 1995. This declaration is necessary to ensure that any agricultural tenants are formally informed of the proposal and have the opportunity to make representations. Together, these certificates form an essential part of validating the planning application and ensuring compliance with statutory notification procedures.

In this case, the application is supported with Certificate A. Certificate A declares that the applicant is the freehold owner.

For the purposes of the Ownership certificate, as set out above, 'agricultural holding' means 'agricultural tenant'. There is no agricultural tenancy on the site and therefore the declaration submitted with the application (that the land is not part of an agricultural holding) is correct. To that end the advice from the applicants agent clarifying the position post the February committee meeting is material to the decision making process.

Accordingly, the planning assessment should recognise that the proposal may affect "agricultural land" rather than an "agricultural holding".

In this case, that is the shift from an agricultural/equestrian use of the land to a non-agricultural open-storage use. This is central to the identified planning concerns, including conflict with countryside and Green Belt policies and harm to rural character. These considerations rely on recognising that the application affects "agricultural land", whereas the planning system does not regulate the internal management or tenancy structure of the "agricultural holding" unless it directly relates to land-use impacts.

It is important that this matter is clarified for Members of the Planning Committee as the advice given in February informed the decision reached by Members.

Assessment

Subject to the above clarification the planning assessment by Officers remains as was set out in Appendix A. However, the following points are proposed to complement the assessment in Appendix A with specific reference to the farm diversification policies and help with further explanation on the matters considered by Members during the debate at the February meeting of the Committee.

The lawful use of the application site (ref.06/86964) refers that the land is in a 'mixed use' (sui generis). The description of the lawful use of the site is as follows:

'The continued use of land for commercial & private equine activities, including the use of Building A for stables with ancillary hay and feed store; the use of Building B as a hay barn; the use of Building C including calving/lambing, storage & repair of equipment, rest area for dual purpose of agriculture & equine; the use of the land for the stationing of a caravan for residential purposes; the use of the manege for commercial & private use (Lawful Use Certificate for retaining an existing use).'

Policy CS21 encourages farm diversification projects where this would be consistent with maintaining and enhancing the environment and contribute to local distinctiveness. The supporting text (para 7.8.7) makes clear that it is important that any development which takes place should maintain the environmental qualities of the countryside.

As is set out in Appendix A, Local Plan Part 2 Policy DM22 states that employment/business development will be permitted where it is part of a farm diversification project supporting a farm business making best use of existing permanent buildings. It goes on to state that where new buildings are necessary, they should be contained within the existing complex of farm buildings and be limited to ensure the development remains of a scale and character appropriate to its rural setting and the re-use of existing permanent buildings which are structurally sound so they can be re-occupied without major rebuilding or extension.

The supporting text (para 2.116) of Policy DM22 however, makes clear that for farm diversification projects, the supporting evidence required to be submitted with an application to demonstrate farm diversification, would include a business plan for the farm. No business plan has been submitted as part of this application.

With regard to the information submitted as part of this application, both the submitted Planning Statement and the Business History & Summary provide very little information in relation to the agricultural activities ongoing at the land and there is no detailed assessment of the current agricultural or equestrian operation, or any financial accounts relating to these activities.

The submitted Business History & Summary confirms that the farm is used for back-grazing and horses are looked after at the site. It sets out that the historic livery enterprise has had to be scaled back as this was not viable. The summary further states that the farm produces Pedigree Hereford cattle and provides some rounded financial figures for the sale of lambs and cows, including £100 per butchered lamb and £1100 per cow, with the cost of the production of each cow being £1400, with a loss of £300 per cow.

However, this information is very limited and does not provide any details of numbers of livestock or herd size or financial viability assessment.

Given the sensitive location of the site within the countryside and the designated Green Belt, it is essential that any claimed diversification is supported by a robust justification, as well as an accompanying business case required by the supporting text to Policy DM22 of the Local Plan Part Two.

Notwithstanding the lack of a submitted business plan, in any case, there would remain to be a conflict between the proposal and the local and national farm diversification policies and Green Belt policies.

Officers conclude that the proposal fails to accord with the Green Belt exception tests and no 'very special circumstances' have been demonstrated to warrant departure from the local and national Green Belt policies and an in-principle objection arises.

Recommendation

The original recommendation remains to refuse the application for the reasons as stated.

Further Information:

Jessica Cooke

Telephone: 023 8028 5909

Planning Committee 11 March 2026

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to Committee:** Requested by Councillor Hawkins.

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Principle of development outside of the defined built-up area.
- 2) Design & the impact on the rural character of the area
- 3) Impact upon the South West Hampshire Green Belt
- 4) Residential amenity
- 5) Matters relevant to highway safety, access and vehicular parking
- 6) Air quality
- 7) Ecology
- 8) Climate Change

2 SITE DESCRIPTION

The application site comprises land associated with Forest Farm which is in a mixed use as an agricultural and equestrian facility. The wider site includes further agricultural land shown on the Location Plan within the blue line, though some of this land is used for equestrian uses.

The site lies outside of any defined settlement boundary and is within an area designated as part of the South West Hampshire Green Belt. The site is located in the middle of surrounding agricultural land parcels, with a row of detached dwellings to the east along Barnes Lane, and the nearby settlement of Milford on Sea to the south.

3 PROPOSED DEVELOPMENT

The proposal seeks a retrospective change the use of the land within the red line boundary to open storage and for the stationing of 30no. shipping containers and vehicles.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
25/10628 Change of use of land for use as open storage (shipping containers and vehicles) (Retrospective)	29/08/2025	Refused	Decided
24/10834 Use of land for open storage, storage containers and vehicles (Lawful Use Certificate for retaining an existing use or operation)	11/12/2024	Was Not Lawful	Decided
24/10095 Removal of condition 3 of planning permission 85/NFDC/29999 to allow removal of the agricultural occupancy condition	10/04/2024	Granted Subject to Conditions	Decided
23/11201 Occupation of dwelling without compliance with occupancy condition (Lawful Use Certificate for retaining an existing use or operation)	15/01/2024	Was Lawful	Decided
09/94001 Removal of agricultural occupancy condition 3 of Planning Permission 29999 (Lawful Use Certificate for retaining an existing use)	17/07/2009	Was Not Lawful	Decided
08/93300 Use of dwelling for persons other than agricultural worker, Condition 3 of Planning Permission 29999 (Lawful Use Certificate for retaining an existing use)	04/03/2009	Was Not Lawful	Decided
06/88509 Removal of agricultural occupancy restriction (condition 3 of planning permission 29999)	02/10/2006	Refused	Decided
06/86964 The continued use of land for commercial & private equine activities, including the use of Building A for stables with ancillary hay and feed store; the use of Building B as a hay barn; the use of Building C including calving/lambing, storage & repair of equipment, rest area for dual purpose of agriculture & equine; the use of the land for the stationing of a caravan for residential purposes; the use of the manege for commercial & private use (Lawful Use Certificate for retaining an existing use)	07/06/2006	Was Lawful	Decided

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy ENV2: The South West Hampshire Green Belt
 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
 Policy STR4: The settlement hierarchy
 Policy CCC2: Safe and sustainable travel

Local Plan Part 2: Sites and Development Management 2014

DM2: Nature conservation, biodiversity and geodiversity

DM22: Employment development in the countryside

Core Strategy 2009 (Saved Policies)

Policy CS21: Rural Economy

Supplementary Planning Guidance And Documents

SPD - Planning for Climate Change

SPD - Parking Standards

SPD - Air Quality in New Development.

SPG - Milford-on-Sea Village Design Statement

National Planning Policy Framework

NPPF 2024

NPPG

Plan Policy Designations

Green Belt

Countryside

Emerging Local Plan

On February 4th 2026 Cabinet approved a report that recommended that this Council starts the public consultation stage into the Regulation 18 version of the new Local Plan. This Regulation 18 version of the Plan will represent an early point in the plan-making process. Consultation is being undertaken between 6th February until 20 March 2026. At this stage, the National Planning Policy Framework (NPPF) paragraph 48 advises that only limited weight can be afforded to emerging plan policies when determining planning applications, as the weight given depends on the stage of preparation, the extent of any unresolved objections, and the degree of consistency with the NPPF. Given that the Regulation 18 draft is at the initial consultation stage and has not progressed to examination, it cannot be considered to carry significant material weight. Accordingly, while the emerging Local Plan is a material consideration in decision making and may provide helpful context, decisions should continue to be primarily guided by the adopted development plan unless other material considerations indicate otherwise.

6 PARISH / TOWN COUNCIL COMMENTS

Milford On Sea Parish Council, The Old Clock House

Milford-on-Sea Parish Council recommends PAR 1 provided that relevant and adequate conditions are put in place.

Par 1: We recommend PERMISSION but would accept the decision reached by the District Council's Officers under their delegated powers.

7 COUNCILLOR COMMENTS

Cllr David Hawkins

I would like to call this to committee please.

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

No comments received.

9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received.

- Housing schemes are given the green light, no justifiable reason why this application has not already been approved.
- Neighbours advise no noise disturbance or increased traffic.
- Concern the site will be used for other development if the application is rejected.
- Support from users of the storage containers.
- No impact on the landscape or visual intrusion from the containers.
- Need to support farmers.

For: 7

Against: 0

Cllr Fran Carpenter (Hampshire County Council Councillor)

I wish to express my strong support for this application. The applicant is a long-standing local farmer who cares deeply for his land and continues to manage a small herd of cattle and horses grazing the surrounding fields.

Like many farmers, he has responsibly diversified his activities to remain financially viable, in line with national planning guidance which recognises the importance of farm diversification in supporting rural economies. The storage containers are sited on existing hard standing, centrally located on the site, screened by trees and buildings and are not visible from outside the site. Traffic movements remain low and appropriate to the rural setting.

I recognise the council's duty to protect the Green Belt and I believe this proposal achieves that aim, while supporting a sustainable small rural business. In the current climate facing farmers, I respectfully urge officers and committee to look favourably on this carefully considered and proportionate application.

I would like to add to my earlier comments that, following the information coming out about the new NFDC Local Plan Review and the large sites nearby Forest Farm proposed for building within that plan, that comments regarding the Forest Farm application not respecting the 'openness of the countryside/Green Belt', or the 'rural character' of the area might be considered again. It seems very unfair to penalise a farmer trying to keep his Green Belt farm land for farming, when NFDC themselves are proposing removing huge swathes of Green Belt farming land from the Green Belt for unprecedented house building.

10 PLANNING ASSESSMENT

Introduction & Background

The proposal seeks retrospective planning permission for an unauthorised change of use of the land to open storage for containers and vehicles. This application is retrospective and the change of use of the land has already occurred unlawfully, and 30 storage containers have been sited on the land without the required express planning permission.

In relation to the planning history of the farm, a Lawful Development Certificate was issued for an existing use of the farm complex for agriculture and equine uses in 2006 (ref. 0686964). The site is therefore considered to be in a mixed use for planning purposes. Whilst there was no evidence of livestock or agricultural activity on the wider site during the site visit undertaken, and activities appeared to predominantly relate to equestrian, it is also acknowledged that agricultural activities may take place on the surrounding land parcels.

An application for a Lawful Development Certificate was made in September 2024 for the use of land for open storage, storage containers and vehicles (Lawful Use Certificate for retaining an existing use or operation) (ref. 24/10834). This application was refused by the Council for the following reason:

'It appears to the Council that the use described in the First Schedule in respect of the Land ebbed and flowed at a low level from 2008 and was of a sporadic nature which has gradually increased to the levels of storage that are present on the Land today. From the evidence the Council considers that the use described in the First Schedule has intensified to become a material change of use sometime after 2021. Consequently the Council considers that a material change of use to use for open storage, storage containers and vehicles was not begun more than 10 years prior to the date of the application and therefore the time for taking enforcement action has not expired.'

Following the refusal of this Lawful Development Certificate, a planning application (ref. 25/10628) was submitted to regularise the unauthorised change of use of the land for storage facilities. This application was refused by the Council under delegated powers in August 2025, with two reasons for refusal relating to the impacts of the proposal upon the South West Hampshire Green Belt. The reasons for refusal are summarised as:

- The proposed development would comprise inappropriate development in the Green Belt, resulting in an intensification of the use of the land and harmful impacts on the openness of the Green Belt. No very special circumstances have been demonstrated which would justify an exception to the established Green Belt policies.
- The proposed development, would result in an intrusive and unacceptable form of commercial development in the countryside and Green Belt where development is restricted unless specific criteria are met in accordance with both the Council's Development Plan and the NPPF 2024. The proposed development would not meet any of these specific criteria. By reason of the introduction of built form in this location and the utilitarian design of the containers, the proposal would constitute an intrusive and discordant form of commercial development that would be harmful to the visual amenities and special qualities of the countryside eroding the rural character of the location and its landscape character. As such, the proposed development is considered to constitute a contextually inappropriate development that would be contrary to the provisions of the Development Plan.

This current application is for the same use of the land as that of the 25/10628 application, with the only material change being a slight reduction in site area to the west of the site, nearby the 30no. storage containers.

Principle of Development

The site lies outside of any established settlement boundary and is within a sensitive area of open countryside designated as part of the South West Hampshire Green Belt. Policies STR1, STR2, STR3, STR4, ENV2 of the Local Plan seek to ensure that such areas are protected from any harmful development and this stance is reinforced by the NPPF.

Saved policy CS21 of the Core Strategy aims to encourage agricultural, horticultural and forestry enterprises and farm diversification projects where the environment would be enhanced and the development would contribute towards local distinctiveness.

Local Plan Part 2 Policy DM22 states that employment/business development will be permitted where it is part of a farm diversification project supporting a farm business making best use of existing permanent buildings. It goes on to state that where new buildings are necessary, they should be contained within the existing complex of farm buildings and be limited to ensure the development remains of a scale and character appropriate to its rural setting and the re-use of existing permanent buildings which are structurally sound so they can be re-occupied without major rebuilding or extension. For an established rural enterprise, the policy states the redevelopment of an existing employment site which results in local environmental benefits or the extension to an existing building in employment use will be supported.

As part of the application form with the planning application, there is a requirement for applicants to make a declaration as to whether or not any of the land is part of an agricultural holding or not. It is noted that under the 'Ownership Certificates and Agricultural Land Declaration' on the application forms for both this current application and the refused application (ref. 25/10628), the applicant has declared that the land is not part of an agricultural holding.

An agricultural holding is defined as land used for agriculture which is so used for the purposes of a trade or business, including horticulture, fruit growing, seed growing, dairy farming and livestock breeding and keeping, the use of land as grazing land, meadow land, osier land, market gardens and nursery grounds, and the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes.

The application form can only be completed as factually true and this statement is a formal declaration that the land is not in an active agricultural use.

The supporting justification for the application relies on the change of use of the land for storage purposes, being part of the farm diversification with the intention that the proposal will support the farm. However, as the applicant has declared that the land is not part of an agricultural holding and therefore, the land is not being used for agricultural purposes of a trade or business, it is a reasonable conclusion to draw that farm diversification cannot therefore be relied upon as a justification for the proposal.

The proposal is for a change of use of the land within the red line boundary for open storage and an unspecified number of containers which are used for storage. However, 30no. metal storage containers have already been placed on the land without an express planning permission. The red line boundary extends beyond the area in which the existing containers are sited and includes additional land which is part of the wider land within the applicants ownership.

The Development Plan is broadly supportive of agricultural development and the rural economy, subject to compliance with other material planning considerations. The submitted Planning Statement, as well as the business history written by the applicant, sets out the applicant's justification for the proposal which states that agricultural/farming and equine activities remain on the site, though the applicant has sought to find alternative uses to ensure the holding can remain viable. This includes the commercial renting of the storage containers to members of the public and local businesses.

In assessing the proposal against Policy DM22, the proposal relates to open land and the retrospective stationing of storage containers, which are not permanent buildings. The proposal does not therefore make best use of existing permanent buildings and the existing development is not considered to be of a scale and character appropriate to its rural setting, given the extensive amount of containers and their utilitarian appearance, which is discordant with this countryside setting. Although the development is not readily visible from the public realm, its presence nevertheless results in intrinsic harm to the countryside by introducing an extensive and visually incongruous form of development that conflicts with the established rural character of the area. In addition, the proposal would not result in the redevelopment of an existing employment site or result in local environmental benefits.

In assessing the proposal against Policy CS21, whilst the numbers of containers are not specified on the application description, the existing containers do not enhance the environment and the storage containers are not considered to contribute to local distinctiveness by reason of their harsh and incongruous appearance and the proliferation of these containers has a significantly detrimental impact on the rural landscape character of the land. Even though the site is not visible from public viewpoints, the development still harms the countryside through the introduction of inappropriate, utilitarian structures in this setting. The change of use of the land would give the potential for a further increase in the commercial storage on the site, including the amount of storage containers given the extent of the red line. As such, the proposal is not considered to contribute to the rural character of the area or local distinctiveness.

On the basis of the above, there is an objection in principle to the proposal, which would be contrary to Policies STR1, STR3 and STR4 of the Local Plan Part One and Policy DM22 of the Local Plan Part Two and Saved Policy CS21 of the Core Strategy.

South West Hampshire Green Belt and Countryside

Policy ENV2 of the Local Plan Part 1 which attaches great importance to protecting the Green Belt and states that development proposals will be determined in accordance with national planning policy. Guidance in relation to development within the Green Belt is contained within Chapter 13 of the National Planning Policy Framework (NPPF). NPPF Paragraph 142 advises that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, with the essential characteristic of the Green Belt being of openness and permanence.

The application site lies outside of the defined built-up area and within the Green Belt where NPPF Paragraphs 153 to 159 make clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved, unless it can be demonstrated that very special circumstances exist or if the development falls within one of the clearly defined exceptions. National policy further requires local planning authorities to ensure substantial weight is given to any harm to the Green Belt.

NPPF Paragraph 154 specifically advises that a local planning authority should regard development as inappropriate in the Green Belt. Subparagraph (a)-(h) sets out very specific, limited criteria for exceptions to inappropriate development in the Green Belt. Exceptions to this are:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;

- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

- h) Other forms of development provided they preserve its openness, including mineral extraction, engineering operations, transport infrastructure, re-use of buildings, change of use, development brought forward by Community Right to Build Order or Neighbourhood Development Order

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

The proposal seeks to change the use of the land within the red line boundary to open storage and storage containers. There are already approximately 30 unauthorised storage containers on the land. With regard to whether the proposal would constitute inappropriate development in the Green Belt, the proposal does not meet any of the exception criteria of paragraph 154 of the NPPF, as set out above.

Accordingly, it is considered the proposal would constitute inappropriate development in the Green Belt, and on account of its size, scale including volume and mass and position within the landscape, it would have a materially harmful impact on the openness of the Green Belt land. Further consideration of 'very special circumstances' are set out below, however, if there are considered to be no clearly demonstrated "very special circumstances" to outweigh the harm to the

Green Belt and to warrant departure from Green Belt policy, the application must be refused.

When considering any planning application, local planning authorities should 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 resulting from the proposal, is clearly outweighed by other considerations. The NPPF makes it clear that development is inappropriate in the Green Belt, unless the proposal would accord with the exceptions criteria set out within the NPPF. In this instance, no viability assessment has been provided to justify the proposal in relation to the viability the farm. Furthermore, farm diversification cannot be relied upon, given the farm is not part of an agricultural holding. Nor does the proposal meet any of the exception criteria and the proposal is not therefore justified in Green Belt terms. Accordingly, the proposed development amounts to inappropriate development in the Green Belt, which by definition is harmful to the Green Belt and contrary to Policy ENV2 of the Local Plan Part One and Chapter 13 of the NPPF.

ii) What would the effect of the development be on the openness of the Green Belt and on the purposes of including land within the Green Belt?

After considering the principle of the appropriateness of the proposed development in the Green Belt as set out above and within the NPPF (paragraph 154), the effect of the development on the openness of the Green Belt needs to be considered. The proposal does not fall under any of the sub-categories set out within para 154 (h), and by reason of the size, scale and massing, along with the proliferation of built form in this sensitive countryside setting, proposed containers would not preserve the openness of the Green Belt.

The proposed change of use of the land and storage containers on the site would add to a sense of visually sprawling development within the farm complex, which would be harmful to the openness of the Green Belt and has resulted in an uncharacteristically cluttered form of development across the wider site. As a result, the development would have an adverse impact upon the openness of the Green Belt. Whilst the site is screened from public vantage points, visibility does not preclude impact on openness. Additionally, whilst the visual impact of the development in itself should not be considered solely as the arbiter of openness, it is also considered that the use of the land for additional commercial development has an impact on openness, which is defined as the absence of development.

The effect of the development on the openness of the Green Belt is a secondary consideration to the principle of the appropriateness of the proposed development in the Green Belt (discussed at (i) above) and as set out within the NPPF (paragraph 154), development is inappropriate in the Green Belt, unless meeting the limited number exceptions that are stated.

In addition to the exemptions set out at paragraph 154 of the NPPF, it is noted that Paragraph 155 of the NPPF states that the development of homes, commercial and other development in the Green Belt would not be regarded as inappropriate where all of the following apply:

- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
- b. There is a demonstrable unmet need for the type of development proposed;

- c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and
- d. Where applicable the development proposed meets the 'Golden Rules'
- e. requirements set out in paragraphs 156-157 below.

The NPPF 2024 defines 'grey belt' land as land within the Green Belt comprising previously developed land and/or any other land that does not strongly contribute to any of the purposes (a) 'to check the unrestricted sprawl of large built-up areas', (b) 'to prevent neighbouring towns merging into one another' or (d) 'to preserve the setting and special character of historic towns' paragraph 143.

Aerial imagery demonstrates the land to which the containers are located was predominantly vegetated up until 2021 when hardstanding was laid down. However, the area annotated on the plan as open storage and parking/turning has been hardstanding since at least 1999. With regard to previously developed land (PDL), the NPPF definition states 'Land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land'.

With regard to the proposal, whilst parts of the site could be considered to be PDL, the installation of hardstanding and the siting of the existing containers on this hardstanding have been implemented without the required express planning permission and the land has not therefore been lawfully developed, nor are storage containers and vehicles permanent structures as per the NPPF definition. In relation to this point, the site has not been lawfully developed and it is not therefore considered to meet the Framework's definition of previously developed land. The Council does not therefore consider that the existing hardstanding and current use of the site for the storage of containers can be considered as PDL or relied upon to provide any justification for the proposed development.

In relation to whether the site can be considered as grey belt land, the application site falls within the Council's adopted Green Belt Evidence Base (2016) for the current (adopted) local plan, within the Downton and Lea Green area (BA07). This Evidence Base (which was produced prior to the principle of grey belt being established in national planning policy) demonstrates the land within BA07 contributes strongly to Green Belt purposes b) and c) as set out in para 143 of the NPPF. If land contributes strongly to Green Belt purposes a), b) or d) of para 143, it cannot be considered as grey belt. As the site contributes strongly to Green Belt purpose b), the land cannot therefore be considered to be Grey Belt when using this green belt evidence base.

However, as part of the Council's Emerging Local Plan Review, a review of Green Belt areas has been undertaken having regard to the grey belt definition in the NPPF and draft grey belt maps have been produced. With regard to Forest Farm, the Council's Green Belt Study, Part 1 demonstrates the land within the application site could now be considered to be Grey Belt land. An assessment is made, therefore against the tests in paragraph 155 of the Framework, regarding whether the development can be considered grey belt in any case.

In relation to the proposal, the criteria of paragraph 155 are set out below:

- a. The development would not fundamentally undermine the purposes of the remaining Green Belt across the area of the plan.
- b. It has not been demonstrated there is a demonstrable unmet need for storage uses and storage facilities. There are a number of storage facilities located within the New Forest area, including within the nearby settlements of

New Milton, Lymington and Hordle and there is no evidenced needs within the Local Plan for this type of development.

- c. The development would be in a sustainable location, which is in close proximity to the village of Milford on Sea.
- d. Does not apply as the proposal does not propose housing.

Paragraph 155 specifies that all criteria must be met and as the proposal fails to meet criterion (b), the development is to be regarded as inappropriate development in the Green Belt in accordance with the terms of the paragraph.

In the absence of 'very special circumstances', the proposed development is considered to be inappropriate and unjustified development in the Green Belt. As such, the proposal does not comply with Policy ENV2, Policy STR1 or NPPF Paragraphs in Chapter 13 and the proposal would be contrary to local and national policy.

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

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

Local Plan Policy ENV3 (Design quality and local distinctiveness) is relevant to this application and requires that all development should achieve high quality design that contributes positively to local distinctiveness, quality of life and enhances the character and identity of the locality. In particular, development should be:

- Functional: well connected to surrounding uses, and logically laid out so that different elements work well together in a manner that is safe to access, easy to navigate, convenient to use and that makes effective use of both developed land and open spaces;
- Appropriate: sympathetic to its environment and context, respecting and enhancing local distinctiveness, character and identity; and
- Attractive: visually appealing and enjoyable to be in.

Chapter 12 of the NPPF 2024 seeks to achieve well-designed places. Paragraph 131 of the Framework states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve, and that good design is a key aspect of sustainable development. Paragraph 135 states developments should be visually attractive as a result of good architecture, and be sympathetic to local character, including the surrounding built environment and landscape setting, as well as establishing and maintaining a strong sense of place.

The site is located in the countryside and outside of any defined settlement boundary. The site is set back from Barnes Lane and is sited between the villages of Milford on Sea and Everton. The application seeks retrospective planning permission for a change of use of the land for open storage and storage containers. Whilst the land is already in use for open storage and c.30 storage containers, the containers were unlawfully sited on the land without the required express planning permission.

Whilst not all of the storage containers which have been stationed on the land are shown on the submitted block plan, there are 4 distinct groups/rows of containers sited to towards the western area of the red line boundary. The largest row of containers extends to approximately 54m in length, which introduces an overtly

utilitarian and industrial form of development to this sensitive countryside location and rural landscape. With regard to the scale, linear massing and harsh functional appearance, the containers appear visually intrusive and at odds with the established rural landscape character of the site. The change of use of the land would facilitate further commercial and storage development within the red line area and the likelihood is that the number of storage containers would increase than that of the existing situation as the storage business expands.

The introduction of the proposed commercial use would result in an intrusive and unacceptable form of development within the countryside, and would result in the proliferation of built form and storage paraphernalia to the farm complex. Given this context, there is not considered to be a compelling justification for the provision of the proposed commercial development in this location. Furthermore, it would be contrary to local planning policy as it would not meet any of the requirements of Policy DM22 of Local Plan Part 2 or saved policy CS21 of the Core Strategy.

The containers are of a utilitarian appearance and are not of any architectural merit and by reason of the site layout, positioning and cumulative clutter of urban sprawl within the site it would adversely affect its character and openness. Whilst the containers and open storage is not visible from public vantage points, this does not negate harm to the countryside or landscape setting of the site. Development can harm the essential qualities of the countryside even when these changes are not visible as rural character can include more than just views. As a whole, the introduction of this use in the countryside is considered to be unsympathetic to the rural character and landscape setting of the area and would harmfully erode the rural character and appearance of the area. As such, the proposal would result in a general intensification associated with the commercial use of the land and would result in an erosion of the Green Belt which would be harmful to the landscape character and rural setting, which is not considered to be appropriate to its location.

A Landscape & Visual Appraisal (LVA) has been submitted as part of this application. Paragraph 48 of the LVA states that the landscape value of the site is 'medium'. Paragraph 66 of the LVA states that the proposed landscape enhancements are the maintenance of all existing trees and hedge cover and the development of the recently planted hedge to the east of the hardstanding, and that the applicant is willing to discuss further landscape enhancement to be delivered by planning condition should the LPA consider this is necessary. The existing vegetation on the site is not considered to negate the impacts of the proposal upon the landscape character of the countryside and Green Belt. Officers do not consider that any planning conditions could make this development acceptable.

The introduction of this proposed commercial use in this sensitive location within the countryside and Green Belt would result in an intrusive and unacceptable form of development in the countryside and would be harmful to the visual amenities of the countryside. Overall, it is concluded that the proposal would result in an incongruous development in a sensitive landscape setting, which would be harmful to the character and appearance of the countryside. By reason of the introduction of new storage use and associated structures, there would be a resultant encroachment into the countryside which is contrary to local and national planning policy.

For the reasons set out above, the proposal is considered to be contrary to the provisions of the Development Plan and the NPPF. In particular, the proposal would fail to accord with the requirements of Policies ENV3, ENV4, STR1, STR3 and STR4 of the New Forest District Council Local Plan Planning Strategy (2020) which requires high quality development that contributes positively to local distinctiveness, being sympathetic to its context, and it would fail to meet the provisions of the aims

of Chapter 12 of the NPPF to achieve well-designed and beautiful places and Chapter 13 of the NPPF.

Highway safety, access and parking

The site is accessed via an existing access which is a private road abutting Barnes Lane, which connects Milford on Sea high street to Christchurch Road.

HCC Highway Authority were consulted on the previous application and raised no objection to the change of use of the land and therefore a reason for refusal on highway grounds cannot be substantiated.

The parking area set out on the plans is large and could accommodate a significant number of vehicles. The proposal is therefore considered to comply with Policy CCC2 of the Local Plan Part One and NFDC Parking Standards SPD.

Residential amenity

Policy ENV3 of the NFDC Local Plan Part 1 requires the impact on the residential amenity of existing and future occupiers to be taken into consideration in making planning decisions. NPPF Para. 135, subparagraph (f) states development should promote health and wellbeing, with a high standard of amenity for existing and future users.

The farm complex comprises a residential dwelling called Forest Farm which lies in close proximity to the site. Planning history for this dwelling demonstrates the property was previously subject to an agricultural tie, however, a Lawful Development Certificate was issued in April 2024 for the occupation of the dwelling by a person not employed in agriculture. It is understood from the planning history of this dwelling, that the occupier of Forest Farm is a relation of the applicant for this application.

The additional traffic movements associated with the commercial use of the site could result in additional noise and disturbance to this property with resultant detrimental impacts upon the residential amenities of this property. On the basis of the described use of the site for storage purposes, traffic movements and comings and goings associated with the commercial use of the site would likely be on an ad hoc basis and may not be materially different to the comings and goings of the agricultural and equestrian business. However, no information has been submitted to quantify these movements to allow for the full assessment of the impact upon the amenity of this residential property.

Aside from Forest Farm, the closest residential property to the site is located approximately 100m to the north east of the site. On this basis, it is not anticipated that the proposal would impact upon the residential properties to the east of the site given the separation distances.

On the basis of the above, and the information submitted, whilst the proposal has not fully demonstrated the impact on the residential amenities of Forest Farm, on balance, given the existing use of the site these amenity impacts may not be materially different. As such it would be difficult to justify a reason for refusal on this basis.

Ecology

As of 2nd April 2024, developers must deliver 10% Biodiversity Net Gain (BNG) on 'smaller' sites such as this as a requirement of planning permission. In this instance,

BNG is mandatory. However, as the application is retrospective, the application is exempt from the requirement to provide BNG.

Policy DM2 of the Local Plan Part Two seeks to conserve nature and enhance biodiversity and states that the Council will use planning conditions to provide mitigation and where appropriate, enhancement measures.

No ecological enhancements have been included within the proposal, although this could have been secured by planning condition if the proposal was otherwise acceptable. On this basis, it is not considered the proposal would adversely impact upon ecology and the proposal is considered to comply with Policy DM2 of the Local Plan Part Two.

Air Quality Statement

In response to the requirements of the adopted 'Air Quality Assessments in New Development Supplementary Planning Document 2022', the applicant is required to submit information explaining the measures that they will take to reduce the potential adverse impact new development can have upon air quality, thereby lessening the negative effects upon health and wellbeing. These measures are:

- Green infrastructure - The applicant has already planted a number of trees and other vegetation on site. Proposal will be to provide further planting if application is permitted and income from the use is received.
- Development designed to reduce exposure to pollutants - There is no kerbside development.
- Reduce exposure to pollutants - Not allow any open fires by users of the commercial storage.

iv) Do the matters which weigh in favour of the development clearly outweigh any harm to the Green Belt and any other harm and are there 'very special circumstances to justify allowing inappropriate development in the Green Belt?

As set out above, the proposed development amounts to inappropriate development in the Green Belt, which by definition, is harmful to the Green Belt and so it would be contrary to established planning policy as set out in the NPPF.

The proposals do not comply with any of the exception criteria as set out in the NPPF. As such any 'very special circumstances' that could justify an exception need to be carefully considered to see if they are sufficient to outweigh the identified Green Belt harm.

The submitted Planning Statement advises the retrospective commercial storage use of the site is to support the viability of the farm holding. The applicant has provided a written statement setting out the business history of the site, however, no independent viability assessment has been undertaken. Whilst Officers sympathise with the circumstances relating to the proposed use of the site, the proposed development is not considered to be an appropriate use of the land in this sensitive countryside and Green Belt setting as set out above. No independent financial or viability information been submitted to demonstrate that the farm is not viable as a justification for the proposal. As such, it is not considered that based on the planning submissions, that the current proposal can demonstrate any "very special circumstances" that would be sufficient to justify the proposal which would be inappropriate and harmful within the countryside and Green Belt.

There are not considered to be any material considerations which sufficiently weigh in favour of the development to outweigh the harm to the Green Belt and all other

harm identified above (i.e. not constituting sustainable development). The case put forward is not considered, on balance, to demonstrate that 'very special circumstances' exist and there are not considered to be any material considerations which weigh in favour of the development that clearly outweigh the identified harm to the Green Belt and countryside. The proposal would therefore result in harm and would be unacceptable in principle.

11 OTHER MATTERS

None.

12 CONCLUSION / PLANNING BALANCE

Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out the starting point for the determination of planning applications:

'If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise'

As set out earlier in this report the NPPF is a material consideration.

In considering the harm of the development, the site lies within a sensitive open countryside setting designated as Green Belt, in which the proposal would result in a change of use of the land for open storage and the stationing of an unspecified number of storage containers, of which there are already 30no. storage containers stationed on the land. The proposal would constitute inappropriate development within the Green Belt, affecting its character and openness by reason of the site layout, positioning and cumulative clutter of urban sprawl within the site. The introduction of the proposed use in a location that is outside of the defined settlement boundary and within the open countryside and South West Hampshire Green Belt, would be contrary to Policy STR2 of the Local Plan Part One and Chapter 13 of the NPPF. There are not considered to be any benefits of the proposal that constitute very special circumstances in accordance with the tests set out in the NPPF. The proposal would be an incongruous development which does not contribute positively to local distinctiveness, with harmful impacts to the visual amenities of the area.

Consequently, it is considered in this case that the application is not justified as there are no 'very special circumstances' that would be required for the Council to conclude that an exception to established policy could be justified or there is one that outweighs the demonstrable harm to the Green Belt as described above. Nor are there reasons that outweigh the demonstrable harm to the Green Belt and the area as a whole.

As such, the proposal would conflict with policies Policies STR1, STR3, STR4, ENV2, ENV3, ENV4 of the Local Plan Part One for the New Forest outside of the National Park, Policy DM22 of the Local Plan Part 2 for the New Forest outside of the National Park, saved Policy CS21 of the Core Strategy for the New Forest outside of the National Park, and Chapters 12 and 13 of the NPPF 2024.

The application is therefore recommended for refusal.

13 RECOMMENDATION

Refuse

Reason(s) for Refusal:

1. The proposed development would comprise inappropriate development in the Green Belt, resulting on an intensification of the use of the land and harmful impacts on the openness of the Green Belt. No very special circumstances that have been demonstrated which would justify an exception to the established Green Belt policies. As such, the proposed development would be contrary to Policy STR1 Achieving Sustainable Development and Policy ENV2 of Local Plan Part 1: Planning Strategy for the New Forest outside of the National Park and Chapter 13 (particularly paragraph 154) of the National Planning Policy Framework 2024.
2. The proposed development is located in this sensitive area of open countryside outside of a defined settlement boundary and within the designated South West Hampshire Green Belt. By reason of its stark and harsh appearance and proliferation of built form, coupled with the excessive length of existing storage containers on the site, the development would result in an intrusive and unacceptable form of commercial development in the countryside and Green Belt where development is restricted unless specific criteria are met in accordance with both the Council's Development Plan and the NPPF 2024. The proposed development would not meet any of these specific criteria. By reason of the introduction of built form in this location and the utilitarian design of the containers, the proposal would constitute an intrusive and discordant form of commercial development that would be harmful to the visual amenities and special qualities of the countryside eroding the rural character of the location and its landscape character. As such, the proposed development is considered to constitute a contextually inappropriate development that would be contrary to the provisions of Policies ENV2, ENV3, ENV4, STR1 and STR3 and STR4 of the adopted Local Plan 2016-2036 Part 1: Planning Strategy for the New Forest District outside the New Forest National Park, Policy DM22 of the Local Plan Part 2 of the adopted Local Plan Part 2: Sites and Development Management for the New Forest District Council outside of the New Forest National Park, saved Policy CS21 of the Core Strategy 2009 for the New Forest District Council outside of the New Forest National Park and Chapters 12 and 13 of the National Planning Policy Framework 2024.

Further Information:

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NFDC

NFDC



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PLANNING COMMITTEE

April 2026

Forest farm
Barnes Lane
Milford-on-Sea
25/11153

Scale 1:2000

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

