

Application Number: 16/11466 Full Planning Permission

Site: OAKHAVEN HOSPICE, LOWER PENNINGTON LANE,
PENNINGTON, LYMINGTON SO41 8ZZ

Development: Additional parking

Applicant: OAKHAVEN HOSPICE TRUST

Target Date: 23/01/2017

Extension Date: 10/02/2017

1 REASON FOR COMMITTEE CONSIDERATION

Contrary to Policy / Policy Interpretation

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Green Belt, Countryside

3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Core Strategy

Objectives

- 1. Special qualities, local distinctiveness and a high quality living environment
- 6. Towns, villages and built environment quality
- 8. Biodiversity and landscape

Policies

- CS2: Design quality
- CS8: Community services and infrastructure
- CS10: The spatial strategy
- CS24: Transport considerations

Local Plan Part 2 Sites and Development Management Development Plan Document

No relevant policies

4 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Section 38 Development Plan
Planning and Compulsory Purchase Act 2004
National Planning Policy Framework

5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS

SPD - Lymington Local Distinctiveness

6 RELEVANT PLANNING HISTORY

Additional Parking (16/10703) - withdrawn 17/8/16

7 PARISH / TOWN COUNCIL COMMENTS

Lymington & Pennington Town Council:- Recommend permission

8 COUNCILLOR COMMENTS

None

9 CONSULTEE COMMENTS

9.1 Hampshire County Council Highway Engineer: no objection

9.2 Southern Gas Networks: advise of site's proximity to gas main

9.3 Southern Water: no objection - advice given

9.4 New Forest National Park Authority: no objection subject to consideration of tree issues

9.5 Tree Officer: no objection subject to condition

10 REPRESENTATIONS RECEIVED

None

11 CRIME & DISORDER IMPLICATIONS

No relevant considerations

12 LOCAL FINANCE CONSIDERATIONS

Local financial considerations are not material to the decision on this application

13 WORKING WITH THE APPLICANT/AGENT

In accordance with paragraphs 186 and 187 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council take a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome.

This is achieved by

- Strongly encouraging those proposing development to use the very thorough pre application advice service the Council provides.
- Working together with applicants/agents to ensure planning applications are registered as expeditiously as possible.
- Advising agents/applicants early on in the processing of an application (through the release of a Parish Briefing Note) as to the key issues relevant to the application.

- Updating applicants/agents of issues that arise in the processing of their applications through the availability of comments received on the web or by direct contact when relevant.
- Working together with applicants/agents to closely manage the planning application process to allow an opportunity to negotiate and accept amendments on applications (particularly those that best support the Core Strategy Objectives) when this can be done without compromising government performance requirements.
- Advising applicants/agents as soon as possible as to concerns that cannot be dealt with during the processing of an application allowing for a timely withdrawal and re-submission or decision based on the scheme as originally submitted if this is what the applicant/agent requires.
- When necessary discussing with applicants/agents proposed conditions especially those that would restrict the use of commercial properties or land when this can be done without compromising government performance requirements.

In this case all the above apply and as the application was acceptable as submitted no specific further actions were required.

14 ASSESSMENT

- 14.1 Oakhaven Hospice is set within its own extensive grounds in a rural location on the eastern side of Lower Pennington Lane. The site has seen a significant amount of additional development over the past few years. An application has now been submitted to extend the existing northern car park. Specifically, it is proposed to extend this car park southwards into an area of mature shrubbery and trees that is located between the hospice buildings and Lower Pennington Lane. Some additional parking bays are also proposed adjacent to the main northern access drive into the hospice. The car park as a whole would be reorganised to provide an improved parking facility for ambulances, as well as a new dedicated transport collection point. The extended car parking area would provide parking for 30 cars. This would increase the parking capacity for cars by 4 spaces, although as some of the existing spaces are quite awkward, the increase in capacity might in reality be slightly greater than this.
- 14.2 Oakhaven Hospice is within the Green Belt and therefore it is firstly necessary to consider the proposal in the light of Green Belt policies. The National Planning Policy Framework (NPPF) sets out the forms of development which are not inappropriate in the Green Belt. This would not include a material extension to an existing car park. Therefore, by definition, it is considered that the proposed car park extension is inappropriate development in the Green Belt. The NPPF advises that such inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances.
- 14.3 The application submissions do not expressly address Green Belt policy issues. However, the submissions do state that the existing parking provision is inadequate and of a poor quality for the current occupancy of the site, as well as failing to adequately cater for visitors during fund raising events. Therefore, it is indicated that the additional parking will be beneficial by providing improved accessibility and parking capacity for staff, residents and visitors.

- 14.4 Undoubtedly, because of a number of recent developments at Oakhaven Hospice, there has been an increase in the use of the site over recent years, with an associated increase in the demand for car parking spaces. The evidence from recent Case Officer site visits is that the existing car park is at full capacity, and is probably unable to adequately meet parking requirements for all vehicles at peak times. It is not considered desirable for parked vehicles to overspill onto Lower Pennington Lane. Therefore, there is felt to be a clear justification for a modest increase in the site's car parking capacity. Because Oakhaven Hospice is such an important and valued facility for the local community, it is felt that the need for a more efficient and larger car park to meet the functional needs of the hospice is something that should weigh heavily in favour of this proposal.
- 14.5 It should be noted that the Council does not have any parking standards for a hospice use, and therefore the parking requirement associated with a hospice use must be considered on an individual basis. The Highway Authority have raised no objection to the increased car parking provision.
- 14.6 The proposed development would result in a very slight reduction in the openness of the Green Belt, but as a car park has by its very nature a relatively open character, the impact on openness would be marginal.
- 14.7 The proposed car park would necessitate the clearance of an area of dense shrubbery and low grade trees (of limited ecological value) that form part of a Woodland Tree Preservation Order. In total 7 C grade trees and 3 B grade trees would need to be removed to accommodate the proposed car park extension. The affected tree species would include Hornbeam, Sycamore, Field Maple, Bay and Laurel. The loss of this tree/shrub group would erode the site's rural character, but not to a significant or materially harmful degree because, critically, the larger and more prominent tree specimens within the woodland TPO area would be retained. These retained trees would continue to provide a strong buffer between the hospice grounds and Lower Pennington Lane, and would ensure that the locally distinctive character of this area is not compromised. Nonetheless, it is felt that this existing buffer would need to be reinforced with new tree and shrub planting if the car park extension is to have an acceptable visual impact in this rural setting. Furthermore, new planting is deemed necessary to provide appropriate mitigation for the trees that would be lost. The submitted plans do actually propose new planting between the new car park and Lower Pennington Lane, although a landscape condition would be necessary to secure an adequate planting scheme in this location. It should be noted that the Council's tree officer has raised no objection to the loss of the specific trees that would be removed, although conditions will be needed to ensure construction takes place in a way that does not adversely affect the root system of more significant retained trees. Overall, with appropriate tree protection and landscape conditions, it is considered that the development's impact on the rural character and appearance of the area would be acceptable.
- 14.8 In summary, the development would not cause material harm to the rural character and appearance of the area, and it would only have limited impact on the openness of the Green Belt. Most significantly (in terms of Green Belt tests) the car park would meet the reasonable need of an important community facility, enabling it to operate in a safer and more efficient manner, which would be of material benefit to the local

community. As such, taking into account all of these factors, there are considered to be very special circumstances to permit what must be deemed to be inappropriate development in the Green Belt. Accordingly, this application is recommended for permission subject to appropriate conditions.

- 14.9 In coming to this recommendation, consideration has been given to the rights set out in Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to peaceful enjoyment of possessions) of the European Convention on Human Rights. Whilst it is recognised that there may be an interference with these rights and the rights of other third parties, such interference has to be balanced with the like rights of the applicant to develop the land in the way proposed. In this case it is considered that the protection of the rights and freedoms of the applicant outweigh any possible interference that may result to any third party.

15. RECOMMENDATION

Grant Subject to Conditions

Proposed Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development permitted shall be carried out in accordance with the following approved plans: 7753 102, 7753 101 rev A, 7753 100, 15228-BT2.

Reason: To ensure satisfactory provision of the development.
3. Before development commences a scheme of landscaping of the site shall be submitted for approval in writing by the Local Planning Authority. This scheme shall include :
 - (a) the existing trees and shrubs which have been agreed to be retained;
 - (b) a specification for new planting (species, size, spacing and location);
 - (c) a method and programme for its implementation and the means to provide for its future maintenance.

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

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

4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size or species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the appearance and setting of the development is satisfactory and to comply with Policy CS2 of the Local Plan for New Forest District outside the National Park (Core Strategy).

5. No development, demolition or site clearance shall take place until the following information has been submitted to and approved in writing by the Local Planning Authority.
 - a) An amended Tree Protection Plan illustrating the location of the specialist cellular confinement based system to be used within the root protection areas of trees marked as T13 and T14 within the submitted Tree Protection Plan (15228-BT2);
 - b) An amended Construction Method Statement detailing the method of installation and exact products to be used for the specialist cellular confinement based system within the root protection areas of trees marked as T13 and T14 within the submitted tree protection plan (15228-BT2);
 - c) The full Construction Method Statement as detailed within section 12. Heads of Terms of the Arboricultural Assessment & Method Statement (15228-AA-DC).

Development shall only take place in accordance with these approved details.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area in accordance with Policy CS2 of the Core Strategy for New Forest District outside of the National Park.

Notes for inclusion on certificate:

1. In accordance with paragraphs 186 and 187 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants.

In this case, as the application was acceptable as submitted no specific further actions were required.

Further Information:

Major Team
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**Planning Development
Control Committee**
February 2017

Item No: 3g
Oakhaven Hospice
Pennington Lane
Lymington
16/11466
SZ3194

Scale 1:2000

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

