

Application Number: 16/11116 Full Planning Permission

Site: SHOREFIELD COUNTRY PARK, SHOREFIELD ROAD,
DOWNTON, MILFORD-ON-SEA SO41 0LH

Development: Alterations and extension to access road; gates; bund

Applicant: Shorefield Holidays Ltd.

Target Date: 23/01/2017

Extension Date: 10/02/2017

1 REASON FOR COMMITTEE CONSIDERATION

Deferred at the meeting on 8 February 2017

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Green Belt

Tree Preservation Order: No:107/03

3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Local Plan Part 1 (Core Strategy) 2012:

CS2: Design quality

CS3: Protecting and enhancing our special environment (Heritage and Nature Conservation)

CS10: The spatial strategy

Local Plan Part 2 (Sites and Development Management DPD) 2014

DM2: Nature conservation, biodiversity and geodiversity

MoS2.1: Cycle route

National Planning Policy Framework _

Chapter 9 - Protecting Green Belt Land

Hampshire Minerals and Waste Plan

Policy 16: Safeguarding - minerals infrastructure

Policy 26: Safeguarding - waste infrastructure

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

Village and Town Design Statement; Milford-on-Sea

6 RELEVANT PLANNING HISTORY

There is an extensive planning history for the site and its environs related to holiday park development and pitches, but nothing of direct relevance to the current application.

7 PARISH / TOWN COUNCIL COMMENTS

Milford on Sea Parish Council - recommend refusal. The Parish Council was concerned about the creation of a new road in Greenbelt land which would be inappropriate and set a precedent for future development.

8 COUNCILLOR COMMENTS

None

9 CONSULTEE COMMENTS

- 9.1 Hampshire County Council Highway Engineer: the proposals are for the construction of a new internal access road which would allow large caravan transporter vehicles to enter and leave the site via the existing vehicular access onto the A337 which currently serves the Downton Manor Farm Quarry site. Approximately 163 caravan transporters per annum are currently required to access the site via Downton Lane which is narrow and considered unsuitable to accommodate such vehicles. The existing quarry access onto the A337 would be considered to benefit from better visibility and geometry from that which exists at the junction with Downton Lane, it is therefore the Highway Authority's view that the transference of large vehicular movements away from Downton Lane onto the quarry access would result in a net improvement to highway safety. No objections.
- 9.2 Southern Gas Networks: give informative on proximity of their apparatus to the site.
- 9.3 Environmental Design Team (Landscape) - Shorefields Holiday Park and Downton Manor Farm Quarry are located within the landscape character area of Barton and Milford Coastal Plain, with a landscape character type of Coastal Plain estates. Whilst it is accepted that the proposal will probably not give rise to long term adverse impacts to visual amenity, on the basis that the landscape is well enclosed by vegetation that closely follows the unique topography and lack of public access, the impacts to landscape character has not been adequately assessed. The proposal relies entirely on infrastructure provided for the sole use of the mineral workings at Downton Farm: the haul roads and bunds. However the Mineral Workings are subject to a restoration plan that requires the removal of the temporary bunds (the bunds are really temporary soil storage heaps) as various phases are worked. The final restoration plan sees the complete removal of infrastructure and a return to agriculture in the same arrangement of fields and boundaries that are typical of the landscape character. In relying on the bunds to alleviate potential visual impacts, they are in fact, imposing a landscape feature that is non

responsive to the baseline conditions, on a permanent basis. In addition, there is a lack of information about how the access into Shorefields is to be created, it would appear that this boundary is well vegetated with a hedge and significant trees, and therefore it should be assumed that the proposal will create a break in this boundary, potentially allowing views into and of the caravans to impinge. The Transport statement provides a specification of the track, indicating locally won gravels will be used to dress the surface of the proposed track, but given its permanent nature, there are no indications of edgings for example. In order that this proposal overcomes the above concerns, it would be appropriate to limit its life to coincide with the minerals restoration plan of this phase of workings, ie a temporary permission subject to conditions to establish what trees/vegetation will be removed/retained and a landscape scheme, requiring full construction details of the proposed track and any proposed mitigation for the loss of vegetation.

- 9.4 HCC Minerals Authority - The site is within the boundary of a safeguarded minerals extraction site, as identified in the Hampshire Minerals and Waste Plan (2013) (HMWP). The proposed development lies within the Minerals and Waste Consultation Area (MWCA) - Sites section. The service road proposed in application 16/11116 lies within the boundary of the safeguarded site Downton Manor Farm Quarry operated by New Milton Sand and Ballast. It could have a negative impact upon this site and it's current planning permission 16/10641 issued by HCC in 2016. Of particular note is its potential impact to the permission's conditions, its temporary nature and the restoration of the site. Consequently the proposed development needs to demonstrate that it is compatible with the permitted minerals extraction operation on the site. The above requirements could be addressed by conditions requiring any permission granted does not amend or change planning permission 16/10641, its conditions and restoration or any subsequent permissions, for the minerals operation at the safeguarded Downton Manor Farm Quarry site.
- 9.5 Tree Officer - Shorefield Country Park is subject to multiple Tree Preservations Orders which are situated throughout the site. A dense linear group of Monterey Pines are situated in close proximity to the proposal (107/03) and runs alongside Sea breeze Way; however the location of the access as shown on drawing (IMA-16-075) is just outside of this TPO group. To facilitate the new access a small group of these trees will need to be removed. The exact number of trees to be removed should be specified and suitable tree planting should be carried out to mitigate any loss and should be in accordance with BS8545: 2014. The trees that will be retained within the TPO and directly adjacent to the development will be vulnerable to root severance and soil compaction as a result of excavation and installation of hard surfaces. The Root Protection Areas of these trees should be illustrated and if the development encroaches into this area, appropriate specialist surfacing and engineering solutions should be used and detailed within an Arboricultural Method Statement and potential impacts identified as part of an Arboricultural Impact Assessment. No objection subject to arboricultural condition.

10 REPRESENTATIONS RECEIVED

Twelve letters have been received in support of this proposal on safety and environmental grounds. It would have minimal impact on the existing environment and result in significant benefit on safety grounds by removing large vehicles from Downton Lane.

11 CRIME & DISORDER IMPLICATIONS

None

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

Introduction

This application was deferred by this Committee at its meeting on 8 February 2017 to allow issues in respect of landscaping impacts, minerals safe guarding, tree impacts and discrepancies in the submitted plans to be resolved. The discrepancies in the plans have been remedied by amended plans and the issues relating to impacts on trees, landscape and minerals are covered in paragraph 14.2 (iii) below. Otherwise, the report remains as considered at the February meeting with conditions revised as appropriate.

14.1 The proposal relates to land adjoining the eastern boundary of Shorefield Country Park, on land within the domain of quarrying operations at Downton Manor Farm. The site is within countryside defined as Green Belt. It is proposed to make alterations and to extend an access road from the main access into Downton Quarry, linking into Shorefield Country Park, to provide a safer and more convenient point of access for delivering and removing static caravans from the holiday park. It offers an alternative to delivery through the main access to the site from Downton Lane, a narrow country lane. The operations proposed would include remodelling an existing bund, resurfacing the existing track with compacted stone from the quarry, extension of the track into the holiday park finished in compacted stone, provision of an unloading and turning area and installation of gates.

14.2 Consideration must be given to the visual impact of the proposal, the implications for highway safety and amenity impacts. The appropriateness of the development must also be considered with regard to the site's location within defined Green Belt, as well as its impact upon the openness of the Green Belt, in accordance with Policy CS10 and Chapter 9 of the NPPF. The principle issues to consider, having regard to relevant development plan policies, the National Planning Policy Framework and all other material considerations are as follows:

- i) Is the development appropriate in the Green Belt by definition?
- 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?
- iii) Would there be any other non-Green Belt harm?
- iv) Are there any considerations which weigh in favour of the development?
- v) Do the matters which weigh in favour of the development clearly outweigh any harm to the Green Belt and any other harm?

In respect of points i) to v) above:

- i) The extended track would not be an urban feature being finished with compacted stone from the nearby quarry, however it would be a new feature within the Green Belt, extending some 170m from the line of the existing track. While the formation of the remodelled bund is considered to be an engineering operation, which may be considered appropriate within Green Belt, the forging of the new track and loading/unloading area are considered inappropriate development

within the Green Belt, for which the applicant must demonstrate very special circumstances.

- ii) The proposal largely relies upon existing access arrangements to Downton Quarry, although a new length of track of approximately 170m in length will need to be formed to the eastern boundary of Shorefield Park. This would be a ground level engineering operation and screened by a line of existing trees to the south. While an existing bund will need to be remodelled and a hardstanding provided for the loading/unloading of caravans, these operations are consistent with the character of the locality, which is characterised by mineral operations, bunds and tracks associated with Downton Quarry to the north and north east. It is not considered that the new track, loading area and remodelled bund would have any significant adverse impact upon visual amenity or openness of the Green Belt, as no development would be visible above ground level, it would be screened by trees to the south and would be finished in locally sourced compacted stone. This would be subject to a condition to prevent long term storage of caravans or vehicles on the hardstanding, to ensure the openness of the Green Belt is protected.
- iii) Given the isolated nature of the site and the relatively low intensity of use (163 two-way movements a year) there would be no impact on residential amenity by way of noise and disturbance or visual impact. The County Mineral Authority have raised concerns regarding the safeguarding of the mineral site, conditions of its approval and its eventual restoration, which are posed by the proposal. It is considered that these concerns could adequately be addressed by granting a temporary permission for the proposal, linked to the minerals permission and through an informative applied to the notice. The absence of operational development, other than ground level track and hardstanding and formation of a grass bunding, where similar bunding is already in situ, dictate that there would be no significant harm to local visual amenity or landscape quality. However, the site forms part of a wider minerals extraction area and while it is accepted that the proposal will probably not give rise to long term adverse impacts to visual amenity, this is on the basis that the proposal relies on infrastructure provided for use of the mineral workings, ie the haul roads and bunds. The mineral workings are subject to a restoration plan that require removal of the temporary bunds, which would present the proposal in a very different context. In order that this proposal overcomes the concerns regarding its relationship with the mineral workings, it would be appropriate to limit its life to coincide with the minerals restoration plan, ie a temporary permission, which is consistent with the comments of the Landscape Team and County Mineral Authority. The Landscape Team and Tree Officer have raised some concerns with regard to the removal of trees and vegetation and to the final details of the access track, but are satisfied that these may be addressed by condition. The Highway Authority has already confirmed that no harm would result to highway safety. Consequently, subject to conditions identified above and set out below, no other non-Green Belt harm is identified.
- iv) The purpose of the proposal is to provide an alternative form of access for HGVs involved with the transportation of static caravans to and from Shorefield Caravan Park. The Highway Authority raise no objections to the proposal, considering that the transference of large vehicular movements away from Downton Lane onto the quarry

access from the A337 would result in a net improvement to highway safety. The identified highway safety benefits weigh heavily in favour of the proposal.

- v) The highway safety benefits of the proposal clearly outweigh the very limited adverse affects of the proposal on the Green Belt, landscape quality and local amenity.

14.3 While the proposed new track and loading area is inappropriate development within the Green Belt, the application has demonstrated it would have no significant impact upon the openness of the Green Belt and that there are very special circumstances warrant a departure from Green Belt Policy. The proposal would not significantly harm the character of the area, safeguarded minerals, highway safety or neighbouring amenity and is accordingly recommended for approval.

14.4 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 approved shall be removed within 5 years of the date of this permission or at the end of the mineral extraction at Downton Manor Farm Quarry (whichever is the sooner) and the land restored to a condition which has first been agreed by the Local Planning Authority.

Reason: Having regard to the implications that this proposal may have on this minerals site in accordance with Policies 16 and 26 of the Hampshire Minerals and Waste Plan.

2. The development permitted shall be carried out in accordance with the following drawing nos. 1:7500 Location Plan, 002 Rev B, 003 and 004 Rev A

Reason: To ensure satisfactory provision of the development.

3. No caravans, vehicles or machinery shall be stored on the proposed loading area identified on drawing no. 004 Rev A for longer than 24 hours without the express planning permission of the Local Planning Authority.

Reason: In the interests of the amenities of the locality and to protect the openness of the Green Belt in accordance with Policies CS2, CS3 and CS10 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

4. 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) a specification for new planting (species, size, spacing and location) to mitigate for any loss of vegetation;
- (b) full construction details of the proposed track, including edging details, drainage and the surface materials to be used;

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).

5. All external works and landscaping agreed under condition no. 4 shall be carried out in accordance with the approved plans and details within one year of commencement of development and maintained thereafter as built and subject to changes or additions (including signage) only if and as agreed in writing with the Local Planning Authority.

Reason: To ensure the achievement and long term retention of an appropriate quality of development and to comply with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

6. No development or site clearance shall take place until a plan and/or details showing:

- Arboricultural Impact Assessment in accordance with 855837: 2012;
- Arboricultural Method Statement in accordance with 855837: 2012;
- Tree Protection Plan in accordance with 855837: 2012;
- Tree Planting Schedule (planting to be in accordance with 858545: 2014)

are submitted to and approved in writing by the Local Planning Authority. Thereafter 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 CS3 of the Local Plan for the New Forest District outside the National Park Core Strategy.

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

2. An extract of Southern Gas Networks mains records of the proposed work area is available to view on the Council's website for your guidance. This plan only shows the pipes owned by SGN in their role as a Licensed Gas Transporter (GT). Please note that privately owned gas pipes or ones owned by other GTs may be present in this area and information regarding those pipes needs to be requested from the owners. If they know of any other pipes in the area they will note them on the plans as a shaded area and/or a series of x's. The accuracy of the information shown on this plan cannot be guaranteed. Service pipes, valves, siphons, stub connections etc. are not shown but you should look out for them in your area. Please read the information and disclaimer on these plans carefully. The information included on the plan is only valid for 28 days.

On the mains record you can see their low/medium/intermediate pressure gas main near your site. There should be no mechanical excavations taking place above or within 0.5m of a low/medium pressure system or above or within 3.0m of an intermediate pressure system. You should, where required confirm the position using hand dug trial holes. A colour copy of these plans and the gas safety advice booklet enclosed should be passed to the senior person on site in order to prevent damage to our plant and potential direct or consequential costs to your organisation.

Safe digging practices, in accordance with HSE publication HSG47 "Avoiding Danger from Underground Services" must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all relevant people (direct labour or contractors) working for you on or near gas plant.

Damage to their pipes can be extremely dangerous for both your employees and the general public. The cost to repair pipelines following direct or consequential damage will be charged to your organisation.

3. The applicant's attention is drawn to the need to ensure that conditions attached to the planning permission (ref: 16/10641) for mineral extraction and subsequent restoration at the site are complied with when carrying out this development and in the use of the proposed access.

Further Information:

Major Team
Telephone: 023 8028 5345 (Option 1)



New Forest DISTRICT COUNCIL

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**Planning Development
Control Committee
April 2017**

Item No: 3c

Shorefield Country Park
Shorefield Road
Downton Milford on Sea
16/111116
SZ2594

Scale 1:5000

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

