

**Application Number:** 25/10589 Full Planning Permission  
**Site:** 6 LIME CLOSE, DIBDEN PURLIEU, HYTHE SO45 4RD  
**Development:** Change of use of outbuilding to Fitness studio / Gym  
(Retrospective)  
**Applicant:** Mr Jepson  
**Agent:**  
**Target Date:** 28/08/2025  
**Case Officer:** Hannah Chalmers  
**Officer Recommendation:** Refuse  
**Reason for Referral to Committee:** Councillor request

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## 1 SUMMARY OF THE MAIN ISSUES

The key issues are:

1. Principle of Development
2. Design and Landscape
3. Highways, Access and Parking
4. Impact on Residential Amenity
5. Ecology
6. Trees

## 2 SITE DESCRIPTION

The application site comprises a single storey detached dwelling, within the residential curtilage is a large detached outbuilding. The site is set in the corner of the residential cul-de-sac known as Lime Close in Dibden Purlieu. Lime Close serves nine residential properties of similar size and scale.

The residential dwelling in the application site is set back from the road and has a long narrow front garden and larger rear garden. A single access serving the on-site car parking and existing outbuilding/gym is provided onto Lime Close with hedgerows defining the side boundaries. The site is irregular in shape with a narrow frontage which widens considerably as it extends to the rear. Along the rear boundary of the site there are large trees, some of which are protected by a Tree Preservation Order.

The existing outbuilding, the subject of the application, has dual pitch roof with a later addition flat roof to the rear. It is situated adjacent to the northwest boundary of the site set back 2 metres from this boundary and 37 metres from the front of the site.

The outbuilding has a total floor area of 145.2 square metres, extends to a total length of 20.7 metres and is 8.4 metres wide at the widest point. Situated 2 metres from the northwest boundary, 14.8 metres from the southwest boundary, 16.3 metres from the southeast boundary and 37 from the northern boundary fronting Lime Close.

The building is 17.1 metres from the closest dwelling, 7 Lime Close and 33 metres from the dwelling of 5 Lime Close. With a 38 metre separation from the dwellings in North Road and 44 metres from the dwellings in Noads Way.

The building is clad in off-white render and timber with a dual pitch tiled roof on the larger outbuilding, the single storey rear addition has a flat mineral felt roof. There are no windows on the building. There are large obscure glazed bifold doors fronting onto the site access from Lime Close and a separate door and a glazed patio door to the office area on the southern elevation that offers views over the garden area.

Sited within a domestic garden laid to grass. A 280 sq metres area of permeable hardstanding has been created, under permitted development, at the front for non-delineated parking.

The area is within an established residential area with no other commercial uses of this nature within the vicinity of the site. The fitness studio is accessed from the front driveway along the side of the residential bungalow

### 3 PROPOSED DEVELOPMENT

This application seeks retrospective permission for the change of use of the existing outbuilding. The application would regularise the use of this building from an ancillary domestic outbuilding (Class C3 use) to a commercial gym and fitness training facility (Class E(d)) and also includes the retrospective approval for the single storey rear extension to the outbuilding.

### 4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
19/10851 Detached garage (Lawful Development Certificate that permission is not required for proposal)	23/07/2019	Was Lawful	Decided
19/10414 Front, side & rear extensions; roof alterations in association with new first floor, detached garage.	24/05/2019	Planning permission granted	Under construction
17/11218 House; access; parking & landscaping	24/10/2017	Refused	Planning Appeal Dismissed 21/08/2021

### 5 PLANNING POLICY AND GUIDANCE

#### Local Plan 2016-2036 Part 1: Planning Strategy

Policy ENV3: Design quality and local distinctiveness  
Policy ENV4: Landscape character and quality  
Policy CCC1: Safe and healthy communities  
Policy CCC2: Safe and sustainable travel  
Policy STR1: Achieving Sustainable development  
Policy STR6: Sustainable economic growth  
Policy STR8: Community services, infrastructure and facilities

## **Supplementary Planning Guidance And Documents**

SPD - Parking Standards

### **Neighbourhood Plan**

Hythe and Dibden Neighbourhood Plan

- Policy D2 - Design and Access Statement required
- Policy D3 - Local Distinctiveness
- Policy WEL1 - Development proposals should seek to support public health, active lifestyles and community wellbeing

## **National Planning Policy Framework (December 2024)**

### **National Planning Policy Guidance**

## **6 PARISH / TOWN COUNCIL COMMENTS**

### **Hythe & Dibden Parish Council**

PAR 4: Recommend REFUSAL. If the comment by Council is against the Planning Officer recommendation, the application is likely to be considered at full Planning Committee.

This committee believes that the business is unsuitable in the current location due to the close proximity of neighbouring properties. The parking demands from class sizes of 12 adding to the parking pressures in a residential cul-de-sac.

If this view is in contradiction to that of the officer then the Parish Council request that the NFDC Planning Committee imposes planning conditions that limit opening hours of the establishment and impose restrictions regarding the volume (and appropriate times) on the use of amplified music

## **7 COUNCILLOR COMMENTS**

Cllr Malcolm Wade made no comment on the application although requested this case is taken planning committee.

## **8 CONSULTEE COMMENTS**

### **Hampshire County Council (Highways) - Updated Comments (10 September 2025): Comments – further information required:**

The Highway Authority previously provided a response dated 4th September advising that further information including a transport statement is required, which provided further information regarding the access, trips and parking associated with the change of use. The applicant has subsequently provided a note highlighting that the property benefits from a large private driveway with capacity of 15 vehicles. However, this does not fully satisfy the Highway Authority previous concerns, and as previously mentioned a transport statement should be submitted for review providing further information regarding the change of use. At a minimum this should provide information regarding the changes of trips associated with the change of use, access (including tracking) parking layout, and information regarding anticipated classes. This information is required before a formal recommendation can be provided.

## **Environmental Health (Pollution) – Updated Comments – 16 September 2025: Objection**

The applicant has provided some limited information based on their own observations and measurements. While we acknowledge the effort made to address the concerns raised, we must advise that the information submitted does not meet the requirements for a professional noise impact assessment, as previously requested.

We note that Planning Officers may have made informal observations during site visits; however, these do not substitute for a formal, evidence-based acoustic assessment. Environmental Health is required to assess the potential for statutory nuisance and long-term impacts on residential amenity, which necessitates objective, professionally gathered data.

To ensure compliance with the National Planning Policy Framework (2024), the Noise Policy Statement for England (2010), and local policy ENV3, it is essential that noise impacts are assessed using recognised technical standards. This approach ensures transparency, consistency, and fairness in the planning process.

We therefore reiterate our request for a professional noise impact assessment. This will enable us to make an informed judgment on the potential for adverse noise impacts from the identified sources and determine whether further mitigation is necessary. Additionally, further information is sought regarding:

- The ventilation strategy for the premises to prevent overheating and reduce reliance on open doors/windows.
- Clarification of the proposed operating hours.

In the absence of this information, we cannot be confident that there will be no adverse impacts on residential amenity. As such, it is recommended that the application be refused

## **9 REPRESENTATIONS RECEIVED**

There have been seventy one letters of support received and ten letters in objection. The following is a summary of the representations received.

### Support:

- Valued well used community asset.
- Provides physical and mental health benefits to members
- The building has been constructed to a high standard
- Bespoke fitness with a high level of professional support.
- Location provides a convenient facility for local residents
- Staff and members have a high level of consideration for neighbours.
- Cars are always parked within the site
- Fitness classes are restricted to limited numbers reducing the number of customers on the premises at one time.
- The facility is inclusive to all ages, abilities and physical needs.
- The facility provides an important service in an area that lacks sufficient fitness facilities.

### Objections:

- Members of the gym drive without consideration for other road users.
- Cars are often parked on the street and straddle the pavement.

- The building is insufficiently sound proofed.
- Heavy base music is played at anti social hours.
- The impact of noise is detrimental to the mental well being of neighbours
- Running based training sessions are held on the street
- Footfall and traffic of arriving and leaving patrons disturbs peace.

## 10 PLANNING ASSESSMENT

### A. Principle of Development

Local Plan Policy STR8 Community services, infrastructure and facilities states the council will support proposals for the provision of health and other community facilities that are located to be accessible to all sectors of the community.

Local Plan Paragraph 4.34 confirms that sports and leisure facilities (such as gyms) fall under community facilities.

The site lies within the built-up area of Hythe and Dibden as defined in the New Forest District Local Plan. Therefore, the principle of development is established in line with Local Plan Policy STR8 subject to the consideration of other relevant material considerations as set out below

### B. Design

Local Plan Policy ENV3 (Design, Quality and Local Distinctiveness) states 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. Criterion (ii) of the policy also seeks to avoid unacceptable effects from development by virtue of overlooking and shade.

Local Plan Policy ENV4 (Landscape character and quality) sets out that where development is proposed there is a requirement to retain and/or enhance landscape features which includes trees and hedgerows.

Policy D3 of the Hythe and Dibden Neighbourhood plan states all new development must demonstrate that local distinctiveness has been recognised and that the development proposals respond to this appropriately.

The original outbuilding was constructed under permitted development as an outbuilding used incidental to the main house. The use of the building is now considered to have changed from an incidental building to a gymnasium. It has a dual pitch roof, render and timber clad. The main access to the gym is via obscure glazed bi-fold doors at the front facing Lime Close. A recent single storey flat roof extension has been added to the rear of the outbuilding which forms an additional office space, equipment maintenance area and a one to one coaching space. An external door serves the office area.

The building itself is set back from the shared boundary with 7 Lime Close by 2 metres and set back from the front of the site behind the existing bungalow. The single storey scale of the building, its position set back from the site frontage and the screening by a mature hedges and trees results in a limited impact on the street scene and appearance of the area.

There are protected trees situated along the boundary opposite the building and it is far enough from these trees to have a negligible impact on them. The use of the building as a gym/commercial fitness studio will not have an impact on the trees.

The single storey extension to the outbuilding is situated to the rear and does not benefit from a planning permission and nor would it be considered as Lawful Development permitted under the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) given the material change in use of the whole building. However, it is not considered to cast shade, nor overlook neighbours and preserves the character of the area with regard to the existing built form only.

As such, the layout and scale of the built form of the building, taking into account the additional extension to the existing outbuilding, is in accordance with Local Plan Policies ENV3 and ENV4 and the Hythe and Dibden Neighbourhood Plan Policy D3.

### **C. Highway safety, access and parking**

Local Plan Policy CCC2 criterion (iv) requires new development to provide sufficient car parking and cycle parking in accordance with the adopted Parking Standards Supplementary Planning Document.

Policy ENV3 of the Local Plan sets out at criterion iv) that new development is required to integrate sufficient parking so that the realistic needs of the proposal are met so as to not prejudice the character and quality of the street nor highway safety.

The National Planning Policy Framework (NPPF) (December 2024) paragraph 115 part (b) states that when assessing applications for development it should be ensured that safe and suitable access to the site can be achieved for all users and part (d) states that it should be ensured that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be mitigated.

The stated standard for leisure/fitness facilities is 1 car parking space per 40 sq metres of floor space and 1 cycle space per 20 sq metres of floor space. The gym has a total floor area of 145 sq metres, therefore, to meet the standard there is a requirement for 3.5 car spaces and 7 cycle spaces for this site.

The residential dwelling has 4 bedrooms. To meet the adopted parking standards, 3 on plot spaces are required.

The applicant has stated in the Design and Access Statement (DAS) submitted on 03 July 2025 that there is on-site parking available for up to 15 cars. Although there is a large area of hard standing within the site this has not been marked into parking spaces, nor has a plan been submitted showing the layout of the parking area and how the parking requirements will be achieved. To fit 15 cars on the site, vehicles will have to double park effectively blocking each other in. The resulting manoeuvring at arrival and leaving times by clients of the site is likely to increase vehicular movements and noise.

There is no formal provision for cycle parking on site.

Hampshire County Council Highways were unable to make a recommendation on the proposal without further information. The Highway Authority has requested that the applicant provides a Transport Statement. Such a Statement would provide information regarding:

- the changes of trips associated with the change of use,
- access (including tracking of vehicles manoeuvring),
- parking layout, and
- information regarding anticipated classes (times, frequency, size etc).

In response, the applicant has submitted a statement (Received by New Forest District Council on 10 September 2025) to support the application, stating:

- The private drive can accommodate up to 15 cars
- There is no parking on the street
- Approximately 50% of customers walk or cycle
- It is not proportionate or reasonable to mark out parking spaces

The applicant has highlighted that the property benefits from a large private driveway with capacity for 15 vehicles. However, this does not fully satisfy the Highway Authority's concerns, and fails to provide the necessary detail as previously set.

The required space available on the site to accommodate cars would provide parking for 6.5 vehicles which meets the requirement of the adopted Parking Standard for leisure/fitness facilities and the dwelling house. However, para 5.6 of the Parking SPD clearly advises that "The wider site layout of a development will also need to consider the circulation and manoeuvring space required to access all the types of spaces described". In this case, the nature and the use of site for group exercise classes, which is stated by the applicant is up to 12 customers, could potentially result in up to 12 cars arriving and departing the site at the same time (or at least six cars if half the customers travel by non-car modes as per the applicants suggestion).

This level of class size could potentially give rise to a significant number of extra vehicles accessing the site requiring parking over and above the adopted standard of both the gym and the dwelling.

As such, whilst the proposal can numerically satisfy the NFDC Parking SPD requirements, the intensity of use – from the applicant's information at least 12 patrons at any one time – means that sufficient on-site parking cannot be accommodated so that cars can enter and exit the application site without other cars having to be moved, including onto the highway as described in paragraph 5.6 of the SPD. In the absence of adequate on site parking, manoeuvring and circulation space it is considered likely that cars would park on the street instead to the detriment of the surrounding residential environment. Accordingly, given that this is a quiet residential street it is considered that the application has not sufficiently demonstrated that on-site vehicular parking can be accommodated in a safe and sustainable manner in line with Local Plan Policy CCC2 (Safe and sustainable travel).

In addition to the inadequacy of the parking provision relative to the size of the classes, the Highway Authority has requested extra details regarding the proposed class operations in order to understand the trip generation from the proposed use. In the absence of this detail the Planning Authority cannot conclude that the development would not have an unacceptable impact on the safe operation of the highway network. The increased traffic arising from the change of use on the cul de sac highway cannot be reasonably assessed through this application and it is unclear, therefore if further mitigation is necessary.

Therefore, inadequate information has been provided such that it cannot be demonstrated that the site can achieve safe and suitable access for all uses, and thus the proposal does not accord with Local Plan Policy CCC2, policy ENV3 and paragraph 115 of the NPPF (December 2024).

#### **D. 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. It specifically states that new development should avoid unacceptable effects by reason of visual intrusion or overbearing impact, overlooking, shading, noise and light pollution or other adverse impacts on the local character or residential amenity.

Local Plan Policy CCC1 (i) Development should not result in pollution or hazards which prejudice the health and safety of communities and their environments.

Hythe and Dibden Neighbourhood Plan Policy WEL1 states that development proposals should seek to support public health, active lifestyles and community wellbeing. This includes supporting indoor and outdoor physical recreational opportunities.

The NPPF Paragraph 96 states that planning decisions should aim to achieve healthy, inclusive safe places which enable and support healthy lives, through promoting good health and preventing ill-health.

Advice in the NPPF also sets out that decisions should aim to "...avoid noise giving rise to significant adverse impacts on health and quality of life" (para 198(a)). Footnote 72 of the NPPF cross refers to the Explanatory Note - Noise Policy Statement for England. This provides further guidance on managing noise from development.

It is clear in the support of this application from the patrons of the gym that this facility has had a positive impact on their mental and physical health and the professional level of coaching is highly valued.

The Council must also consider the wellbeing of the adjacent neighbours who are subjected to potential disturbance and noise as a result of the site operations and have limited opportunity for relief from the impacts of the proposed use.

New Forest District Council Environmental Health have commented that the noise associated with the change of the use to a fitness studio/gym is a material concern given the residential setting of the development. A Noise Impact Assessment was requested to provide information on the noise impact arising from music systems. Such an Assessment would consider background and class music, instructor/trainer vocals, equipment noise, ventilation equipment and customer noise – arriving/departing as well as internally generated noise from groups of people etc.

The applicant has not provided a Noise Impact Assessment but has made the following statement (Received by New Forest District Council on 03 September 2025) in response to these comments from environmental health.

- The applicant has measured the noise outside from the driveway whilst music was playing at class levels this was measured at 50-52 decibels.
- Instructors are trained in the correct use of the sound equipment which is pre set to a maximum volume below the legal level. (What this level is has not been specified by the applicant).
- Volume is reduced before and after a class so ensure noise does not cause disturbance when clients arrive and leave.
- All gym equipment is professional-grade, rubber coated and used on sound-dampening rubber flooring.
- Free weights are seldom dropped, and where this does occur the sound transmission outside the building is negligible and barely audible.
- Parking provision is available for up to 15 cars, while the maximum class size is capped at 12 clients, ensuring no overspill or additional roadside noise.

- Client activity outside the gym is limited to low-level conversational noise, which has been tested and does not breach noise pollution limits under decibel monitoring. (Officer Note: The results of these tests have not been provided by the applicant).

Environmental Health has subsequently commented on this statement (email received on 03 September 2025). It is considered that the submitted information does not meet the requirements for a professional Noise Impact Assessment as requested and in turn it cannot be accepted that the use is acceptable with regards to the impact upon amenity of neighbours.

Noise limits are typically determined based on the measured noise survey data in accordance with the relevant British Standard (BS4142:2014+A1:2019) and the requirements of the Local Authority. In order for there to be no adverse effects, the rating sound level (the specific sound level including penalties, as appropriate) at nearby receptors should not exceed the background sound level. This is the level of information that would be expected within the requested Noise Impact Assessment.

In the absence of this information, the Planning Authority cannot be confident that there will be no adverse impacts on residential amenity. As such, NFDC Environmental Protection recommended that the application be refused in the absence of this information.

The applicant has stated within the Design and Access Statement (DAS) the business operates typically between 06:30am and 20:30pm. Group classes are available to book online, six days a week, Monday to Saturdays.

The nature of the classes/training sessions involve music being played and the use of gym equipment such as machines, free weights, medicine balls etc these will all produce a level of sound that is likely to impact the amenity of neighbours. The applicant states in the DAS that the building is fully insulated for 'acoustic performance'. However, this has not been demonstrated by the applicant and no independent noise assessment has been submitted to support this application.

The change of use of the site to a commercial gym generates levels of noise, traffic movements that will be materially higher than normal residential use as is articulated in the third-party representations. This is further compounded as the opening of the gym is outside normal working hours including proposed early morning starts (6.30 am).

The surrounding development is wholly residential in scale and character with no similar commercial use of properties or outbuildings within the vicinity. Located at the end of the residential cul-de-sac of bungalows the use of the outbuilding as a commercial gym/fitness studio is considered to be incongruous with the surrounding development.

Therefore, on balance of considerations, and in the absence of any robust noise assessment it is considered that the proposal will have an unacceptable effect upon the amenity of occupiers of neighbouring dwellings through noise and resulting disturbance contrary to Local Plan Policies ENV3 criterion (ii) and CCC1 criterion (i).

## **E. Ecology**

Local Plan Policy ENV1 (Mitigating the impacts of development on International Nature Conservation Sites) sets out that development will only be permitted where the Council is satisfied that any necessary mitigation, management or monitoring measures are secured in perpetuity as part of the proposal and will be implemented

in a timely manner, such that, in combination with other plans and development proposals, there will not be adverse effects on the integrity of International Nature Conservation Sites (INCS). For residential development adverse effects should be adequately mitigated by implementing measures relevant to the site location including as set out in the Mitigation for Recreational Impacts SPD, Solent Recreation Mitigation Strategy and nutrient management guidance.

Local Plan Policy DM2 (Nature Conservation, Biodiversity and Geodiversity) sets out how development proposals should address international, national and local designed sites. Development proposals should encourage biodiversity and not adversely affect protected flora and fauna.

The proposal is a change of use of an existing building, therefore based on the information available this application is considered to be one which will not require the approval of a Biodiversity Net Gain Plan before development commences

However, the additional extension to the rear of the gym does not benefit from permitted development rights and as this structure is over 25 sq metres and not considered a house holder application. As such the proposal would be subject to the mandatory requirement for Biodiversity Net Gain were the proposal considered acceptable in other regards.

#### **F. Trees**

Local Plan Policy ENV4 (Landscape character and quality) sets out that where development is proposed there is a requirement to retain and/or enhance the following landscape features and characteristics through sensitive design, mitigation and enhancement measures, to successfully integrate new development into the local landscape context. Criterion (i) sets out that features that contribute to a green infrastructure and distinctive character within settlements including the locally distinctive pattern and species composition of natural and historic features such as trees, hedgerows, woodlands, meadows, field boundaries, coastal margins, water courses and water-bodies.

On the south-west corner boundary are mature trees that are protected by Tree Preservation Order 51/17 and on the eastern corner boundary which is covered by Tree Preservation Order 62/88. The existing building is far enough from these trees to be outside the root protection areas of the trees.

The change of use of the building will not have to detrimental impact on the trees and as such accords with Policy ENV4.

## **11 CONCLUSION / PLANNING BALANCE**

On balance of considerations, the proposal would constitute an inappropriate use of the application site, having regard to the close proximity of neighbouring residential uses, the overbearing impact of noise that is materially higher than those of residential use especially as these are outside of normal working hours.

In the absence of a noise impact assessment to demonstrate otherwise, it is considered that the proposed use has resulted in a harmful intensification of use, which has resulted in levels of noise, activity and disturbance that is harmful to the amenity of surrounding residential occupiers (and which would continue to be so). It is not considered that the impact of the proposed use can reasonably be mitigated by conditions.

Additionally, it has not been demonstrated that patrons can park within the site without the need to move other vehicles and hence the proposal has not demonstrated that the proposed development can be accommodated in a safe and sustainable manner. Furthermore, there is no detailed information to enable the consideration of the likely trips associated with the proposal such that it is not possible to conclude if there is any harmful impact on the safe operation of the highway network.

The positive aspects of the proposal, as summarised in representations from the wider general public, are noted but it is considered on balance that these do not outweigh the harm to the residential amenity to surrounding neighbours.

As such, it is considered the proposal represents an unneighbourly form of development that would be contrary to the requirements of Local Plan Policies ENV3 and CCC1 which seeks to avoid unacceptable effects on local general amenity by reason of overbearing noise and disturbance.

Additionally, it cannot demonstrate that continued use of the commercial gym is safe and sustainable for local road users and is contrary to Local Plan Policy CCC2 and NPPF paragraph 115.

On the basis of the issues outlined above, the application is recommended for refusal

## **12 RECOMMENDATION**

### **Refuse**

#### **Reason(s) for Refusal:**

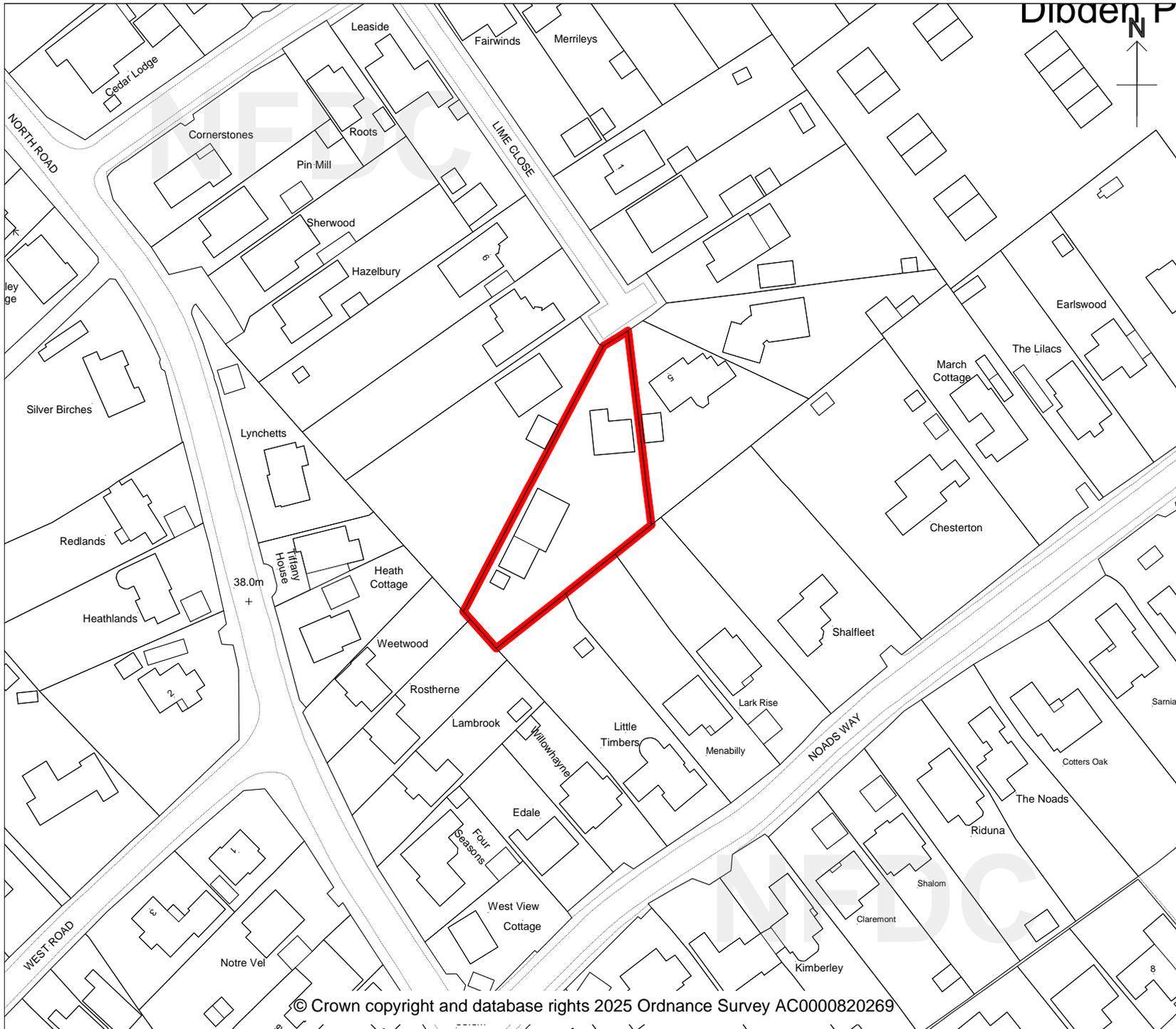
1. Inadequate information has been submitted in order for the Local Planning Authority to conclude that the development would not have an unacceptable effect by virtue of noise upon the amenity of local residents. The proposed use would result in an unacceptable intensification of noise and activity within a residential area surrounded by dwellings whose occupiers would have limited opportunity for relief from the impacts associated with the proposed use. Specifically, the proposed fitness studio use would introduce significant additional noise and activity, including disruptive early morning and evening noise, both within and outside a building. It is considered that the proposed use would relate poorly to the surrounding spatial pattern of residential development and would not represent an appropriate or sympathetic use within its environment due to its harmful impact on the amenity of surrounding uses. On this basis, the proposal would be contrary to Policy ENV3 and Policy CCC1 (i) of the Local Plan 2016-2036 Part 1: Planning Strategy.

2. Inadequate information has been submitted in order for the Local Planning Authority to conclude that the development would not have a significant adverse impact upon the safe operation of the local highway network. Furthermore, the parking availability on the site provides inadequate circulation and manoeuvring space required to access all the types of spaces which in turn could lead to an increase in on street parking to the detriment of other highway users. The development would be contrary to Local Plan Policy CCC2, Policy ENV3 and paragraph 115 of the National Planning Policy Framework (NPPF December 2024).

**Further Information:**

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# New Forest

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## PLANNING COMMITTEE

October 2025

6 Lime Close  
 Dibden Purlieu  
 Hythe  
 25/10589

Scale 1:1250

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