

Landford Parish Council: Planning Schedule

12 October 2022

21/00928: Camping and Caravan Site, Green Hill Farm: reasons for refusal

**Policy SP1: Supporting sustainable development**

The National Park Authority will support sustainable development proposals that will conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park and its special qualities; promote opportunities for their understanding and enjoyment by the public, and when doing so, will foster the social and economic well-being of local communities. Where there is an irreconcilable conflict between the statutory purposes, greater weight will be attached to the conservation and enhancement of the National Park (in line with Section 62(2) of the Environment Act 1995).

Sustainable development in the National Park is considered to be that which:

- a) makes the National Park a high-quality place to live, work and visit – including appropriate new housing to address local needs; accessibility to local employment opportunities; improved public transport links; local infrastructure provision; and enhanced community and recreational facilities;
- b) has a positive impact on the ability of the natural environment to positively contribute to society through the provision of food and water, regulation of floods, prevention of soil erosion and disease outbreaks, and non-material benefits such as recreation;
- c) enhances the landscape of the New Forest through high quality design and responding to the local distinctiveness of the area;
- d) contributes positively to the built and historic environment of the New Forest;
- e) does not impact on the integrity of the protected habitats of the New Forest, including its coastline;
- f) is resilient and responsive to the impacts of climate change through improved energy efficiency and making appropriate use of small-scale renewable energy; and
- g) makes use of sustainable building techniques, local materials and minimises energy use and waste.

Comments

The application proposals fail to '**conserve and enhance the natural beauty, wildlife .....of the National Park and its special qualities**'.

Being an 'estate' of holiday houses, with large areas of glazing and an un-characteristic style compared to traditional properties in the area, the proposals do not;

**'c) enhance the landscape of the New Forest through high quality design and responding to the local distinctiveness of the area'**.

**'d) contribute positively to the built and historic environment of the New Forest'**.

The proposals do;

**'e) .....impact on the integrity of the protected habitats of the New Forest.....'**

## **Policy DP2: General development principles**

All new development and uses of land within the New Forest National Park must uphold and promote the principles of sustainable development. New development proposals must demonstrate high quality design and construction which enhances local character and distinctiveness. This includes, but is not restricted to, ensuring:

- a) development is appropriate and sympathetic in terms of scale, appearance, form, siting and layout
- b) development respects the natural, built and historic environment, landscape character and biodiversity
- c) development takes opportunities to protect and enhance the setting of groups and individual trees, hedges and hedgerows and to include new planting of native trees and hedges where appropriate
- d) materials and boundary treatments are appropriate to the site and its setting
- e) development would not result in unacceptable adverse impacts on amenity in terms of additional impacts, visual intrusion, overlooking or shading
- f) development would not result in unacceptable adverse impacts associated with traffic or pollution (including air, soil, water, noise and light pollution).

New development must also comply with required standards for:

- g) car parking
- h) open space (as set out in Policy DP10).

### **Comments**

The application proposals fail to '*..... demonstrate high quality design and construction which enhances local character and distinctiveness*'.

The proposals are not;

**'a) ..... appropriate and sympathetic in terms of scale, appearance, form, siting and layout'**

and do not;

**'b) ..... respect the natural, built and historic environment, landscape character and biodiversity'**

The proposals do not comply;

**'d) materials ..... are appropriate to the site and its setting**

The increased activity on the enlarged site would;

**'f)..... result in unacceptable adverse impacts associated with traffic or pollution (including air, soil, water, noise and light pollution)'**

### **Policy SP5: Nature conservation sites of international importance**

All development must comply with the Conservation of Habitats and Species Regulations 2017 (as amended). Development which may affect the integrity of an internationally important site for nature conservation will not be permitted unless there are imperative reasons of overriding public interest for the development, and there are no alternatives. If this is the case, the Authority will require compensatory measures to ensure the overall coherence of the designated site.

Development may satisfy the Conservation of Habitats and Species Regulations if sufficient and effective measures are put in place to avoid or fully mitigate any likely significant adverse effects of the proposal (either individually or in combination with other plans and projects) through its lifetime on the designated sites. A contribution to the Authority's Habitat Mitigation Scheme and/or the Solent Recreation Mitigation Partnership's Scheme will enable developers to ensure that mitigation measures are secured for the recreational impacts of their development. The type of development and situations where recreational impacts can be mitigated are described in the Authority's Habitat Mitigation Scheme and the Solent Recreation Mitigation Strategy Explanatory Note.

Avoidance or mitigation may not be possible in some cases due to the impacts, scale, type, or proximity of the proposed development in relation to the designated site, and so the Authority will assess each case on its merits.

#### **Comments**

The application site is immediately adjacent to international conservation SPA and SAC areas. With a large increase in accommodation for the proposed application site, the levels of activity, light pollution, and noise will affect the sites of international importance. Therefore, the proposals will not comply with the above policy.

***'Development which may affect the integrity of an internationally important site for nature conservation will not be permitted unless there are imperative reasons of overriding public interest for the development, and there are no alternatives.'***

## **Policy SP6: The natural environment**

Proposals should protect, maintain and enhance nationally, regionally and locally important sites and features of the natural environment, including habitats and species of biodiversity importance, geological features and the water environment.

Development which is likely to have an adverse effect on a Site of Special Scientific Interest (either individually or in combination with other developments) will not be permitted. Only where the benefits of the development clearly outweigh both the impacts on the special interest features of the SSSI and on the broader national network of SSSIs will an exception be considered.

Development proposals which adversely affect locally designated sites, priority habitats and species populations, protected species or those identified of importance by national or local biodiversity plans will be refused unless the Authority is satisfied that:

- a) it has been demonstrated that suitable measures for mitigating adverse effects will be provided and maintained in order to achieve a net gain in biodiversity value; and
- b) there are no alternative solutions; and
- c) there are overriding reasons which outweigh the harm.

In cases where it is not possible to fully avoid or mitigate for the loss of biodiversity interests resulting from a development, appropriate compensation will be secured for any residual losses via on or off-site compensation measures. The latter may include the provision of compensatory habitats elsewhere.

In addition, opportunities to enhance ecological or geological assets and the water environment should be maximised, particularly in line with the Authority's 'Action for Biodiversity'. Applicants will be required to demonstrate the impacts of their proposal on biodiversity, and for certain types of development by submission of an Ecological Appraisal, which should outline the mitigation and enhancement measures needed to achieve a net gain in biodiversity.

### **Comments**

If the existing 130 pitches for tents and touring caravans are proposed to be replaced by 90 lodges as well as 16 glamping units, the vast increase in floor areas of each unit will inevitably result in a greater number of holiday makers that can be accommodated. Add to this the all year round use of 100 static caravans that is being applied for, and the visitor increase will be significant. As a result of increased visitor numbers, there will be an impact, through greater use, on nearby features of the natural environment, including habitats and species of biodiversity importance.

A tributary of the River Blackwater runs through the site. This joins the main River Blackwater, which then flows into the River Test. This, in turn, flows into Southampton Water and into the Solent. Any pollution from this site, which is partly within a surface water flood zone, would be a disaster for the water environment.

## **Policy SP7: Landscape character**

Great weight in planning decisions will be given to conserving the landscape and scenic beauty of the National Park and to its wildlife and cultural heritage. Development proposals will be permitted if they conserve and enhance the character of the New Forest's landscapes and seascapes by demonstrating that:

- a) they are informed by New Forest National Park Landscape Character Assessment and are compatible with the distinct features and type of landscape in which the development is located ;
- b) the design, layout, massing and scale of proposals conserve and enhance existing landscape and seascape character and do not detract from the natural beauty of the National Park;
- c) the character of largely open and undeveloped landscapes between and within settlements will not be eroded or have their setting harmed; and
- d) landscape schemes reinforce local landscape or seascape character. Where planting is appropriate, it is consistent with local character and native species are used.

### **Comments**

The application proposals, by virtue of the site expansion into areas beyond the existing camping and caravan site, will clearly not be '***conserving the landscape and scenic beauty of the National Park and to its wildlife and cultural heritage.***' To illustrate the potential harm to the landscape character, an Article 4 direction was made on a six hectare plot of land, on another site on Landford Common (adjacent to the A36), which had been divided into 115 separate plots. It was considered that the permitted development rules, allowing plots to be fenced and/or the plots to be used to site caravans for 28 days per year, would seriously harm the landscape character and visual amenities of this part of the National Park.

'a)' The site is located within the Heath Associated Smallholdings and Dwellings area in the 'West Wellow Heaths and Commons' designation of the New Forest National Park Landscape Character Assessment. One of the Overall Landscape Strategies for this area is '***Protect areas of wood pasture and ancient commons, particularly through grazing by commoners' stock. Protect the edge of commons from settlement encroachment .....***'. This will not be achieved by extending the location of static caravans to the edge of Plaitford Common.

'b)' Contrary to this paragraph, the design, layout, massing and scale of proposals does not conserve and enhance existing landscape but it does detract from the natural beauty of the National Park.

'c)' Again, contrary to this paragraph, the character of largely open and undeveloped landscapes between and within settlements will be eroded and have their setting harmed.

### **Policy DP8: Safeguarding and improving water resources**

Development will not be permitted if it would risk harm to the quality and yield of water resources, including abstraction sites, groundwater, rivers, streams, still and coastal waters.

In addition, all new residential development within the National Park should be designed to achieve a required level of 110 litres maximum daily allowable usage per person, in line with the Government's Housing Optional Technical Standard for water efficiency.

To reduce the risk that pollutants likely to be contained in surface water run-off will enter watercourses new development must either:

- a) implement appropriate Sustainable Drainage Systems (SuDS); or
- b) demonstrate that surface water run-off from the development will not adversely affect any designated nature conservation sites.

#### **Comments**

As mentioned in the comments to Policy SP6, a tributary of the River Blackwater runs through the site. Unless each static caravan is connected individually to the foul drainage system, pollution is likely and this policy must be strictly adhered to.

The proposed bases, access roads, parking spaces, paths, etc. will all collectively become a mass of impervious surfaces. The run-off from these will wash pollutants into the nearby ponds and streams and also add to the surface water flooding potential.

### **Policy SP9: Green infrastructure**

Proposals which create, maintain and enhance green infrastructure will be supported, particularly where they:

- a) encourage connectivity between different habitats and designated sites
- b) provide opportunities for local communities to access open space and provide for healthy recreation; and
- c) relieve recreational pressure on internationally important nature conservation sites.

The Authority will work with other partners and adjoining authorities to develop green infrastructure, and to ensure the impacts of development both within and outside the National Park's boundary do not adversely affect the landscape character of the National Park or the internationally important nature conservation designations. However, providing new Suitable Alternative Natural Greenspace (SANG) in the nationally protected landscape of the National Park as mitigation for development outside the National Park is not appropriate, and will only be considered in exceptional circumstances where very significant benefits for the landscape, biodiversity and internationally designated sites of the National Park can be clearly demonstrated.

#### **Comments**

'c)' As discussed in comments to Policy SP6, the proposals will result in increased numbers of holiday makers, and these will create more recreational pressure on the adjoining Plaitford Common and beyond, which has SSSI, SAC, SPA and Ramsar designations.

### **Policy SP15: Tranquillity**

New development should avoid, or provide mitigation measures, if the proposal will lead to noise, visual intrusion, nuisance and other unacceptable environmental impacts on the National Park and its special qualities.

This should include reducing the impacts of light pollution on the 'dark skies' of the National Park and control of development to prevent artificial lighting from eroding rural darkness and tranquillity.

Development proposals that seek to remove visually intrusive man-made structures from the landscape will be supported.

#### **Comments**

The existing site, with the structures that currently exist, has already created levels of noise disturbance to nearby properties. With more man-made structures proposed, the noise and visual intrusion will only increase.

The current, significant light pollution of the existing site has already been experienced from a number of viewpoints. This detrimental impact on the dark night skies can only become worse as more static caravans, roadways, communal structures, etc. are added to the existing.

### **Policy SP17: Local distinctiveness**

Built development and changes of use which would individually or cumulatively erode the Park's local character, or result in a gradual suburbanising effect within the National Park will not be permitted.

#### **Comments**

150 static caravans, 16 glamping units, communal and utility buildings, together with the proposed infrastructure, on a site which, for centuries, was part of Landford Common, but later became just agricultural land, will certainly be considered as eroding the Park's local character. And the suburbanising effect will not be gradual.

### **Policy DP18: Design principles**

All new development will be required to achieve the highest standards for new design: including location, layout, size, scale, details and materials of new development within the National Park, with particular regard to:

- a) enhancing the built and historic environment of the New Forest;
- b) creating a safe environment where people want to live, work and visit;
- c) ensuring new development is accessible where appropriate;
- d) ensuring all new development incorporates sound sustainable design and construction principles and good environmental practices; and
- e) ensuring development is contextually appropriate and does not harm key visual features, landscape setting or other valued components of the landscape, and enhances these where appropriate.

#### **Comments**

'e)' The proposals are not appropriate for the rural landscape feature in which they are set i.e. Landford Common which borders Plaitford Common, land owned by the National Trust.

### **Policy SP19: New residential development in the National Park**

An additional 800 dwellings will be delivered within the New Forest National Park between 2016 and 2036. To meet this, new residential development will be permitted within the National Park to maintain the vitality of local communities and support local services where the proposal involves:

- a) the development of sites allocated for housing in the Local Plan ;
- b) the implementation of extant planning permissions;
- c) the development of land previously unallocated or unidentified (windfall development) within the Defined Villages of the National Park (Policy SP4);
- d) development that comes forward on appropriate rural exception sites (Policy SP28); and
- e) housing for New Forest Commoners (Policy SP29); Estate Workers (Policy SP30) and tied agricultural dwellings (Policy DP31).

#### **Comments**

The application for the proposed static caravans will not contribute to any of the residential dwellings listed in the above policy but only provide second homes for those outside of the area.



### **Policy SP21: The size of new dwellings**

To ensure the dwelling stock of the New Forest as a whole is balanced, new dwellings permitted in the National Park will have a maximum total internal habitable floor area of 100 square metres. Where permission is granted for new dwellings of up to 100 square metres, a condition will be attached removing permitted development rights in respect of extensions.

This policy applies to applications resulting in net new dwellings. Proposals for replacement dwellings, commoners' dwellings, Estate Workers' dwellings and agricultural / forestry workers' dwellings will be assessed against their specific policies.

#### **Comments**

Whilst new houses within the National Park are limited to a maximum of 100 square metres floor area (a modest three bedroom property), the maximum size of caravans is 136 square metres. In the absence of conditions restricting floor areas, any or all of the static caravans could be increased in size, up to the maximum 136 square metres, without the need for further planning permission.

### **Policy SP28: Rural exception sites**

Small-scale affordable housing developments may be permitted as "exceptions" on sites in or adjoining villages to meet the identified needs of local people in these areas. Proposals for exception sites should:

- a) meet a particular local need that cannot be accommodated in any other way;
- b) be subject to a planning obligation under Section 106 of the Town and Country Planning Act (1990) to ensure that the dwellings provide for low-cost housing for local needs in perpetuity;
- c) be capable of management by an appropriate body, for example a Registered Provider, the Authority, or a community land trust or similar accredited local organisation; and
- d) be located where there are appropriate local services (e.g. shops, schools and public transport). 100% of the housing on rural exception sites will be affordable.

#### **Comments**

Although the proposed static caravans are not 'housing' in the strict definition of the word, they do provide all the normal residential facilities for families, for 365 days a year. With the recent Rural Housing Needs Survey for Landford Parish establishing a local need for affordable homes, no provision has been made to include any of these as part of the proposed development. As a result, tourists needs are catered for in preference to local residents needs.

### **Policy SP42: Business and employment development**

Small scale employment development will be permitted within the four Defined Villages of Ashurst, Brockenhurst, Lyndhurst and Sway.

Outside these Defined Villages, small scale employment development that helps the well-being of local communities will be permitted through the re- use or extension of existing buildings, the redevelopment of existing business use employment sites, farm diversification schemes and through homeworking.

Particular encouragement will be given to businesses that help to maintain the landbased economy and cultural heritage of the National Park, or contribute to the understanding and enjoyment of the National Park's Special Qualities. Providing local communities with a variety of employment opportunities will also be supported where these do not have an adverse impact on the Special Qualities of the National Park.

## Comments

The applicants claim that more employment will be provided as a result of the proposals while also claiming that the numbers of visitors to the site are being reduced. Reduced site activity resulting in a greater number of jobs is a difficult concept to understand or accept. In terms of the local community, it is more likely that, with the additional holiday homes being added to the site, and the site's holiday season extended, the existing local hotel, holiday lets, and bed and breakfast establishments will suffer a reduction in the use of their facilities, together with the other long established caravan and camp sites in the local area.

### **Policy SP46: Sustainable tourism development**

Sustainable tourism development will be supported where it provides opportunities for the understanding and enjoyment of the special qualities of the National Park in a way that either enhances, or does not damage the Special Qualities. This will be facilitated by:

- a) supporting small-scale development of visitor facilities and accommodation using new or existing buildings in the four Defined Villages. Outside these villages visitor facilities will be supported through the re-use or extension of existing buildings in line with Policy DP45 and Policy DP49, and visitor accommodation will be considered as part of a farm diversification scheme as outlined in Policy SP48;
- b) retaining existing serviced visitor accommodation where it contributes to the sustainability of local communities; and
- c) supporting opportunities to relieve visitor pressures where this would assist the conservation or enhancement of internationally or nationally designated nature conservation sites.

Extensions to existing tourism developments will be considered in accordance with Policies DP45 and DP47. Development of visitor facilities within the existing site of the major visitor attractions at Paultons Park and Beaulieu Motor Museum will be supported if the four criteria in Policy DP44 can be satisfied.

## Comments

'a)' The application proposals are not in any of the four Defined Villages. There will be no farming activities on the proposed site, so the development cannot be considered as part of a farm diversification scheme.

'b)' This paragraph refers to '**retaining existing serviced visitor accommodation**' not extending it.

'c)' By virtue of the proximity and direct access to Plaitford Common, the application proposals would not relieve visitor pressures on this internationally and nationally designated nature conservation site.

### **Policy DP47: Holiday parks and campsites**

New campsites and extensions to existing holiday parks, caravan or camping sites will only be permitted to enable the removal of pitches from sensitive areas by the relocation to a less sensitive area, providing:

- a) there would be overall environmental benefits;
- b) there would be no increase in the overall site area or site capacity; and
- c) the area where pitches or other facilities are removed from would be fully restored to an appropriate New Forest landscape, and any existing use rights are relinquished.

## Comments

Without the removal or relocation of existing pitches, extensions to existing holiday parks, caravan or camping sites will not be permitted. An increase in the overall site area is specifically rejected in 'b'. The recently revised scheme reduces the overall area of the proposed site from the previous scheme, but still extends the existing camp site in a north-easterly direction to cover a larger area than the existing site.

Paragraph 8.27 of the NFNPA Local Plan states ***'Existing holiday parks and campsites provide significant opportunities to enjoy the special qualities of the National Park. They are well provided for in and around the New Forest and this means that no additional camping facilities (including all forms of self-catering camping and caravan accommodation) are needed.'***

### **Policy SP48: The land-based economy**

Land-based businesses that help maintain the overall character and cultural identity of the National Park will be supported by:

- a) working with key organisations to ensure the future viability of commoning through:
  - (i) enabling affordable housing for commoners that includes land suitable for holdings (as set out in Policy SP29); and
  - (ii) maintaining the supply of land available for back-up grazing on the enclosed lands; resisting the loss of back-up grazing through development or change of use.
- b) supporting farming and forestry that would be beneficial to the Forest through:
  - (i) the provision of agricultural and forestry buildings subject to Policy DP50;
  - (ii) farm diversification where this would help to sustain the long-term agricultural operation of the land and would be:
    - agricultural diversification based on an extensive system of land management, or
    - non-agricultural diversification, through the re-use of redundant farm buildings in line with Policy SP46 or Policy DP49, and where it can be demonstrated that the new use would remain ancillary to the farming business;
  - (iii) Helping to support markets for local produce and products.

## Comments

The loss of farmland, by extending the holiday village site, is in complete contrast to all the requirements of Policy SP48. Paragraph 8.30 of the NFNPA Local Plan states ***'Whilst providing only a small proportion of local jobs, farming, commoning, forestry and woodland management remain vital in maintaining the land use management practices that help conserve the landscape character and cultural identity of the National Park.'***

With regard to farm diversification, paragraph 8.33 of the NFNPA Local Plan states ***'Diversification of a scale or extent which is likely to provide an incentive to reduce the long-term agricultural operation of the land will not be supported.'***

## CONCLUSIONS

The very first statutory duty of the New Forest National Park is '**To conserve and enhance the natural beauty, wildlife and cultural heritage of the area**'. If this conflicts with the second statutory duty - '**To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.**' - then the first duty takes precedence.

Although it can be argued that the number of holiday units has not increased from the current allowances, considering the proposed change from tents and touring caravans to static caravans, the maximum allowable floor area of 136 square metres for static caravans will greatly increase the ground area needed for these numbers. As a result, the previously permitted caravan and camping site is being extended to provide the additional area required.

Some of the contradictions between the Green Hill planning application and the policies of the NFNPA Local Plan could, possibly, be dealt with by conditions of a planning permission. However, others have a distinct lack of compliance with the policies, to the extent that a planning refusal can be the only option.

Interesting to note that a government planning inspector has recently refused a planning appeal to create **two** new holiday lets at Furze Farm in Sherfield English Road. Part of the reason for the inspector agreeing with Wiltshire Council's refusal decision was that the new accommodation would increase visitor numbers to the New Forest protected sites, therefore causing harmful effects.