



Landford Parish Council: Planning Schedule

Applicants and objectors attending the Parish Council meeting will be given the opportunity to state their case.

New Forest National Park Authority (NFNPA) applications: can be viewed on their website, or at their Planning Dept in Lymington.
Wiltshire County Council (WCC) applications: can be viewed on their website, or at their Planning Dept in Salisbury.

Application no.	Site address	Proposal	Parish Council Response (meeting 12 February 2020)
19/11984/VAR:	Furze Farm, Sherfield English Road, Landford, SP5 2BD	<u>Proposal:</u> Variation of Condition 2 of planning application 18/11017/FUL amendments to approved elevations and materials of the stable block	<u>Response:</u> As Wiltshire Council were late in notifying the PC about this application (and would not grant an extension to comment), the parish council did not respond
19/00315:	Forest Way, Lyndhurst Road, Landford, Salisbury, SP5 2AJ	Appeal: For info only - NFNPA did not invite comment on this appeal	
19/00918:	Land at Stock Lane, Landford	<u>Proposal:</u> Retention and completion of 2no buildings	<p><u>Response:</u> Recommendation No.2: We recommend REFUSAL (unanimous decision) for the reasons listed below but would accept the decision reached by the National Park Authority's Officers under their delegated powers.</p> <p>The parish council would like to point out that conversions under Class R, unlike Class Q of the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2 Part 3, with a floor area not exceeding 150m2 do not include 'building operations reasonably necessary to convert the building'. To allow further alterations beyond the Class R permitted development allowances, would create buildings that would not have been permissible under the previous 'change of use' applications. This contradicts the whole basis of the permitted development legislation. Within the parish, a nearby agricultural building conversion in Landford Wood (Wiltshire Council 18/10625/PNCOU - just outside the NFNP boundary) https://unidoc.wiltshire.gov.uk/UniDoc/Document/Search/DSA,893903 was refused on the basis that the proposed conversion exceeded the 'change of use' definition and was considered to be a re-build. This was a Class Q conversion which actually allows 'building operations reasonably necessary to convert the building'. But, even though the proposed overall size and shape was to remain as existing, the necessary works were considered to go well beyond that which could be reasonably described as a conversion. This is backed up by a 2016 High Court decision listed in the Case Officers Report.</p>

20/00002: Carridene, North lane, Nomansland, Salisbury, SP5 2BU

Proposal: Application to vary conditions 2 and 5 of planning permission 18/00895 for Single storey rear (Infill extension; alterations to fenestration; render; replacement porch roof; new roof to bay window; garage /carport; 1.4 metre high brick wall, piers and entrance gates; access alterations; resurfacing of driveway and patio)

Response: As a formal extension has been agreed with the applicant until 27 March 2020 to allow the submission of further plans, consideration to this application has been adjourned until the 25 March meeting.

Deadline for comment extended to 26 March 2020

20/00010: Three Corners, School Road, Nomansland, Salisbury, SP5 2BY

Proposal: Outbuilding; demolition of existing outbuilding

Response: **Recommendation No.1:** We recommend **PERMISSION**, (unanimous decision) for the reasons listed below, **but would accept the decision reached by the National Park Authority's Officers under their delegated powers.**

The proposed replacement garage is marginally bigger than the existing outbuilding it replaces, but it will not present any adverse issues for the immediate locality. The external materials proposed for the building are an improvement compared to those of the existing building to be demolished.

20/00028: Forest View, Lyndhurst Road, SP5 2AS

Proposal: Change of use of the site for two permanent gypsy and/or traveller's pitches in accordance with Policy SP33.

Response: Recommendation No. 4. We recommend **REFUSAL** (majority decision), for the reasons listed below:-

History

The application site is situated on Landford Common and was completely undeveloped until 2004 when Salisbury District Council granted a five year temporary permission for a mobile home and several outbuildings. The temporary permission was limited only to Mr Webb and any resident dependents. All buildings and structure were to be removed from site and the land restored to its former condition at the end of the five year period. It should be noted that the planning officers report to this 2004 application stated:

'However, it will be noted from the consultation response that the part of the SSSI abutting the site has been notified as a buffer zone to protect the main bog from fertilizer runoff and other potential farming hazards. They note that the application includes a `paddock` between the main site and the SSSI which could be retained as a buffer zone between the site and SSSI.'

This prompted condition 4 of the planning approval which states:

'The land edged blue on the approved plans shall be retained for use as a paddock only, and shall not be used for the storage of any materials, plant, machinery or for the erection of any structures, unless otherwise agreed in writing by the Local Planning Authority and upon submission of a planning application in that behalf if appropriate.'

In 2006, the New Forest was granted the status of a National Park which included much of Landford, including the application site. A planning application was submitted, in 2007, to the newly created New Forest National Park Authority, for the temporary permission to become permanent, for both Mr Webb and his daughter. This was refused and the planning officers report stated:

'The site lies outside the Housing Policy Boundary for Landford where residential development would not normally be permitted. It would appear that the mobile home was only permitted due the personal circumstances of the occupants, who is a bona fide gypsy. Given the fact that the mobile home lies outside the housing boundary, it is not considered that a permanent residential use should therefore be permitted which would be contrary to policy. It would lead to an intensification in the use of the site to the detriment of this part of the New Forest.'

A further application was submitted later in the same year for the temporary occupation of the site by Mr Webb to become permanent. This was refused for similar reasons as previously given, stating: ***'The relaxation of condition 1 would result in a permanent residential site outside of the main housing Policy boundary for Landford for which there is no justification and which would lead to an intensification in the use of the site, contrary to policies HA1 and HA2 of the Salisbury District Local Plan.'***

In 2009, the original temporary planning permission expired and a new planning application was submitted for a continuation of the occupation of the site. Approval was given for a further five years, until 2014, under the same conditions as originally granted. A further planning application was submitted in 2013, in which the Planning Statement states:

'Mr Webb has now lived on this site for 9 years, enjoys good relations with his neighbours and has been welcomed into the community. He intends to remain on this site for the remainder of his life. This application therefore once again seeks a permanent permission for the siting of a mobile home.'

The 2013 application was granted subject to condition 2 which states:

'The residential occupation of the site shall cease when it is no longer required to be used by Mr D Webb. All mobile homes and other structures shall be removed from the land, and the land restored to a condition which has first been agreed by the New Forest National Park Authority within three months from the cessation of occupation.'

There is a consistent theme in the decisions for all planning applications from 2004, which considers all applications to be unsuitable for permanent use of the site for mobile homes and caravans. With time limits included for every decision, the opportunity has been taken for the site to be re-integrated into the Landford Common landscape at some future date.

Landscape

The application site lies within the West Wellow Heaths and Commons landscape character assessment which has a key landscape characteristic of ***'A mosaic of remnant heathland commons, remnant pasture woods with ancient oak and beech pollards, farmland and woodland on the undulating northern edge of the forest'***

This landscape policy document highlights the issues associated with the landscape of this area which include:

'Spread of development onto common land.

Past conifer planting on areas of open heathland.

Development pressure.'

Future management guidelines include:

'Protect areas of wood pasture and ancient commons, particularly through grazing by commoners' stock. Protect the edge of commons from settlement encroachment in line with relevant HLS agreements.'

and

'Protect the pattern of small linear settlements and scattered smallholdings and dwellings – maintaining the rural character of the landscape with, for example, property boundaries of native hedgerows or railings rather than suburban close-board fencing, external lighting kept to a minimum and selection of deciduous species rather than ornamental conifers on garden boundaries (particularly in the Heath Associated Smallholdings and Dwellings and Ancient Forest Farmlands landscape types).'

The characteristics and guidelines are not compatible with the introduction of a permanent use of the site by mobile homes and caravans, especially as the site lies, more or less, at the highest point of the village - the most prominent location. This would serve to highlight the adverse character that the proposed use would impose on the landscape. The value which the local population place on this area of Landford Common is demonstrated in Section 4 of the Landford Village Design Statement (a supplementary planning document) which shows a map of the views which are considered to be the most important. Landford Village Design Statement SPD also describes the importance of Landford Common in paragraph 3.10 of 'The Local Landscape' chapter.

A different planning application for the change of use to a single gypsy site in March 2015 was rejected at appeal. The site, Brambly Hedge in Landford, could not be seen from the road but the planning inspector considered that the addition of caravans on the site imposed a significantly detrimental impact on the landscape.

The planning inspectors appeal decision for the Brambly Hedge site, included the following comments:

'The site lies within a landscape classified as the West Wellow Heaths and Commons. One of the key features of this landscape is linear settlements with a pattern of ancient rectilinear paddocks, with a close relationship to the open commons. The associated management guidelines include the desirability of maintaining the functional and visual links between the linear settlements and their landscape setting. This reflects the situation in Landford. The land to the west of Lyndhurst Road was part of Hamptworth Common and the plantation is a later addition. I consider the remaining strip of open land containing the paddocks makes a positive landscape contribution both visually and in interpreting the history of the village.'

'The visual impact of the development is limited. From the public domain it is only readily visible at close quarters from Latchmore Drove. From the private domain the hedge on the eastern boundary is an effective screen when viewed from Yew Tree Cottage, the nearest property on Lyndhurst Road, which is about 68 metres away. Further south there are more intrusive, but more distant, oblique views of the open side of the site although they are partially screened by garden fences and trees.'

'I conclude that the proposal would have a materially detrimental effect on the landscape character but a more limited visual impact. As this is a designated landscape of national importance I conclude that significant weight should be attached to the overall harm caused to its character and appearance.'

Due to the very prominent location, the current application at Forest View would have a far more dramatic effect on the landscape, and Landford Common in particular, than the March 2015 appeal above.

Another more recent planning application (19/00885), for a double garage size agricultural building on lower levels of Landford Common, was refused for detrimental landscape reasons. The planning officers report included reference to the planning inspectors previous appeal decision on the site, stating:

'The applicant appealed the Enforcement Notice and the appeal was subsequently dismissed in February 2019 and the Enforcement Notice was upheld. The Inspector considered the surrounding landscape has "strongly open, rural characteristics and is largely unencumbered by urbanising intrusions". He stated that, due to its "overall, size, form and design, the building resembles a residential double garage. Consequently, the appearance of the building is entirely at odds with its countryside surroundings". Furthermore, "given the dimensions of the building together with the siting several metres from the field boundary, it is viewed as an obvious and significant built feature in an otherwise largely undeveloped rural setting". The Inspector considered the building to be "an alien feature in its surroundings unacceptably harming the rural characteristics of the vicinity" and "the presence of such a substantial building has significantly eroded the otherwise open feel of this part of the countryside". As such, it was not considered that the development demonstrated high quality design and was not appropriate and sympathetic in terms of scale, appearance and siting failing to respect the landscape character.'

Even the current temporary use of the Forest View site includes unacceptably suburban features such as tall gates, brick piers with lights, panel fencing and general site floodlighting. These are not compatible with a rural location in a national park as documented in the Landford Village Design Statement SPD (paragraphs 7.11 and 7.12) and the NFNPA Design Guide SPD ('Avoiding Suburbanisation').

The second part of Policy SP33 in the NFNP Local Plan 2016 – 2036 asks for additional sites for gypsies, travellers and travelling showpeople to be proposed, subject to, amongst other things, that:

- the impact of the site on the landscape character of the National Park is acceptable;

Yet the one site, Forest View, which has been selected in the first part of Policy SP55, does not even comply with this criteria.

Ecology

The application site shares a boundary with a Site of Special Scientific Interest (an area that is of particular interest to science due to the rare species of fauna or flora it contains) and a Special Area of Conservation (a designation to protect one or more special habitats and/or species).

Most of this designated area is under the ownership of Wiltshire Wildlife Trust who, together with groups of local volunteers, manage and maintain this important area, known as Landford Bog. The Forest View site slopes downhill towards the SSSI and SAC area, and forms part of the catchment 'valley' which, in turn, slopes towards and supplies Landford Bog with much of its natural water supply. Any form of pollution from either surface water or groundwater, which, due to the contours of the land, would readily be transferred to Landford Bog and devastate and destroy the natural and important ecology of the protected site.

To highlight the importance of Landford Bog, the New Forest National Park Authority and Wiltshire Wildlife Trust have been awarded £28,000 to improve Landford Bog for its rare plants, invertebrates and reptiles. <https://www.newforestnpa.gov.uk/news/rare-wildlife-in-landford-receives-a-boost-thanks-to-national-grid/>

It seems to be contradictory to spend a large sum of money to improve the site, yet at the same time, allow an immediately adjacent site to be used for residential activity, with all the pollution risks that this could create. The current application form states that on-site parking will be provided for six vehicles. Any of those vehicles with oil or petrol leakage might easily pollute the ground or surface water. Even the application of fertilisers on the ground will have a damaging effect on the quality of the water.

A natterer's bat has recently been seen in the Landford Bog area. They can be found across the UK, although this is a scarce species. It prefers to forage low down among trees, often taking prey directly from the foliage. As with all bats, they can be impacted by artificial lighting. In addition to causing disturbance to bats in the roost, artificial lighting can also affect the feeding behaviour of bats.

Conclusions

The proposal in Policy SP33 to change the use of the Forest View site from an existing temporary gypsy site to two permanent gypsy sites has so many issues, as described above, that do not conform to, or comply with, other policies in the Local Plan that it is inconceivable that it has been put forward. The specific policies that this proposal is in conflict with are:

- Policy SP1: Supporting sustainable development, paragraphs b), c) and e)
- Policy DP2: General development principles, paragraphs b) and f)
- Policy SP5: Nature conservation sites of international importance
- Policy SP6: The natural environment
- Policy SP7: Landscape character
- Policy DP8: Safeguarding and improving water resources
- Policy SP15: Tranquillity (in respect of light pollution)
- Policy SP17: Local distinctiveness

At the very least, individual landscape and ecology assessments for this site should have been carried out prior to its inclusion in the policy. It can only be assumed that the NFNPA have abandoned the first statutory purpose of all national parks - to conserve and enhance the natural beauty, wildlife and cultural heritage of the area - just to find a simple way of 'ticking the box' for the provision of gypsy sites.

It should be mentioned at this stage that the occupation of the site by Mr Webb under the current temporary arrangement and conditions are perfectly acceptable to most residents in the parish. Over the years he has proved to be a very likeable person and the nearby neighbours have no complaints regarding his lifestyle. The current arrangement is that the residential occupation of the site shall cease when it is no longer required to be used by Mr D Webb. When that time comes, the site will be restored to a condition which has been agreed by the New Forest National Park Authority, and future generations will be able to enjoy the open views of Landford Common.

Landford Parish Council objected to Forest View being included in Policy SP33, when the Draft Local Plan 2016 - 2036 was sent out for consultation in 2018.