

Application No: 24/01362FULL Full Application

Site: Christmas Tree Farm, Hangersley Hill, Hangersley, Ringwood
BH24 3JR

Proposal: Replacement dwelling; outdoor pool; garage; outbuilding;
demolition of existing dwelling (AMENDED PLANS &
INFORMATION)

Applicant: Mr & Mrs T Wheeler

Case Officer: Carly Cochrane

Parish: Ringwood Town Council

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Town Council view

2. POLICIES

Development Plan Designations

Conservation Area

Principal Development Plan Policies

New Forest National Park Local Plan 2016-2036

DP2 General development principles
DP18 Design principles
DP35 Replacement dwellings
DP36 Extensions to dwellings
DP37 Outbuildings
SP6 The natural environment
SP7 Landscape character
SP14 Renewable energy
SP15 Tranquillity
SP16 The historic and built environment
SP17 Local distinctiveness

Ringwood Neighbourhood Plan

R10 Zero Carbon Buildings

Supplementary Planning Documents

Design Guide SPD

NPPF

Sec 12 - Achieving well-designed places

Sec 15 - Conserving and enhancing the natural environment

Sec 16 - Conserving and enhancing the historic environment

3. MEMBER COMMENTS

None received

4. PARISH COUNCIL COMMENTS

Ringwood Town Council: Recommend refusal. Six responses received between January and July 2025. Please refer to full comments on the Authority's website.

5. CONSULTEES

Tree Officer: Support subject to conditions.

Building Design and Conservation Area Officer: Initially submitted plans not supported. Amended plans, supported subject to conditions.

Ecologist: Support subject to conditions.

6. REPRESENTATIONS

89 letters of representation have been received. 15 letters are in support of the application, nine provide comment, and 65 letters object to the application. It is noted that there have been multiple representations submitted by the same representees. The material planning considerations that remain relevant and raised in relation to the amended plans are summarised as follows:

- **Design**

- Low quality design not reflective of the standards of schemes subject of the National Park Building Design Awards.
- Out of character with the conservation area.
- Excessive in scale.
- Dominant and intrusive within the landscape due to its elevated siting.
- Oversized glazing resulting in light spillage.
- Query relating to the accuracy of the floorspace calculations and omission of the existing 'Cottage.'
- Proposed replacement should be located on the same footprint as the existing dwelling - no environmental benefit to be had in the proposed location.

- **Outbuilding**

- Scale disproportionate to the proposed dwelling.
- Concern it would not be used for incidental purposes.

- **Neighbouring Amenity**
 - Concern with regard to loss of privacy.
 - Concern with regard to noise pollution from the pumps serving the proposed swimming pool.
 - Concern with regard to increased noise pollution.
- **Facilities**
 - Concern with regard to wastewater discharge and connection mains drainage.
 - Concern with regard to removal of existing underground tank and contamination.
 - Concern with regard to swimming pool water and how it will be managed.
- **Other matters**
 - Permission would result in multiple dwellings on site, in relation to the Cottage which should be being used for storage only and not occupied for residential purposes.
 - The proposal does not and cannot achieve the required or purported eco credentials.
 - Proposal results in the overdevelopment of the plot.
 - Creation of additional accesses.

7. **RELEVANT HISTORY**

Relief of Condition 2 of RFR 9289 - agricultural occupancy (NFDC/91/47709) granted on 03 July 1991

Removal of agricultural occupancy condition under RFR.9289 (NFDC/74/00762) refused on 06 September 1974

Bungalow and access (RFR/XX/09289) granted on 08 January 1964

8. **ASSESSMENT**

Application Site

- 8.1 The application site is located to the eastern side of Cowpitts Lane and comprises a single storey dwelling set centrally and within the front part of the site, oriented east-west, and attached via a 'car port' to a building which is not locally listed but is considered to positively contribute to the historic and architectural interest of the conservation area. There is a detached outbuilding to the northwest of the dwelling, and the site is screened from the highway by trees along the front boundary. The site rises away from the highway, and adjoins residential properties at Cowpitts Lane, Burcombe Lane and St Aubyns Lane.
- 8.2 The dwelling the subject of this application was originally granted permission in 1964, and its occupation was restricted by an agricultural tie condition. This occupation restriction was removed in 1991. The building adjacent to the front of the site, known as

'the Cottage' was in existence at the time of the 1964 permission, and the plans at the time indicated that the cottage was to be used for storage purposes in conjunction with the new dwelling, although there was no condition imposed controlling this use. The current use of the Cottage is subject to an enforcement investigation and whilst it is within the application site, the proposal does not involve this building.

- 8.3 The application site is denoted on the plans by a red outline. This outline initially included all land owned by the applicant and therefore extended east to cover a parcel of land which appears on plan as an agricultural paddock. It was proposed that some of the Biodiversity Net Gain (BNG) enhancements were to be provided within this area. Following the Case Officer's site visit, it was apparent that there is no physical separation between this area and the residential curtilage, and therefore for this area to be included within the red outline could be misinterpreted as being accepted that this area is part of the residential curtilage. Additionally, the BNG enhancements proposed for this area were not compatible with the agricultural use of the land. The red outline was therefore amended and reduced, to only cover the existing residential curtilage which is the usual approach for applications of this nature. For clarity, this does not result in the subdivision of the site, nor does it imply any change of use of the land. Resultantly, the site area, in combination with the self-build nature of the development, falls below the thresholds established nationally for BNG and therefore BNG is no longer applicable or a matter for consideration in this application.

Proposed Development

- 8.4 The design of the proposal has been subject to amendments in response to consultee comments. This reflects the requirements of national policy for planning authorities to engage proactively and positively with applicants to address matters where appropriate. As such, this application seeks permission for the replacement of the dwelling and outbuilding, with the installation of a pool to the front of the dwelling, and hard and soft landscaping.
- 8.5 In respect of applications for replacement dwellings, Policy DP35 of the Local Plan sets out that the replacement of existing dwellings will be permitted except where the existing dwelling is the result of a temporary or series of temporary permissions or the result of an unauthorised use, or where the dwelling makes a positive contribution to the historic character and appearance of the locality, i.e. a non-designated heritage asset or listed building. In this instance, the dwelling is lawful, and whilst the building adjacent to the front boundary is of merit, it does not form part of the application. The principal of a replacement dwelling is therefore supported by the statutory development plan policies.
- 8.6 Policy DP35 also permits the siting of a replacement dwelling to be different to that existing, providing there are clear environmental

benefits. In this instance, the proposed replacement dwelling would be sited perpendicular (north-south) and rearward within the plot to the existing, with a minimal overlap of the existing footprint. The orientation of the replacement dwelling would seek to maximise passive solar gain, and, whilst the proposed replacement dwelling would be on a slightly elevated level to that of the existing dwelling, it is not considered that there would be any adverse impacts arising from the proposed siting. As such, the siting of the dwelling is considered acceptable, as it enables the orientation to improve the efficiency of the building.

- 8.7 In combination with Policy DP35, Policy DP36 of the Local Plan allows a dwelling to be extended at the time it is replaced. The Authority's Planning Information Leaflet (Domestic Extensions and Replacement Dwellings) and Design Guide Supplementary Planning Document (SPD) set out the expectation that any additional floorspace added at this point should read as an extension, i.e. be subservient in its scale, rather than being subsumed into the core of the main dwellinghouse. In this instance, the application proposes a two-storey structure with rooms in the roof space, with single storey elements and a combination of the use of pitched and flat roofs. Despite the height of the dwelling being approximately eight metres, the design of the proposed replacement dwelling is such that it appears single storey, particularly when viewed from the front elevation due to the lack of any glazing upon the roof. Single storey elements upon the front and rear elevations provide a visual break from the bulk of the dwelling, and overall, the design is considered acceptable in this respect.
- 8.8 In respect of floorspace, the proposed replacement scheme would comply with the policy limitations, subject to the pergola/veranda structures upon the west and east elevations being conditioned to remain unenclosed. The Authority's Planning Information Leaflet sets out that such open-sided areas covered by a roof may be excluded from the calculations if they are constructed of lightweight materials and are conditioned to remain open. The design of these elements is considered appropriate such that the condition can be reasonably applied. There is therefore no conflict with the floorspace restriction of Policy DP36. It is considered reasonable and necessary, however, to remove permitted development rights to ensure the dwelling remains of an appropriate size and appearance.
- 8.9 The design of the replacement dwelling is a significant departure from the style of the existing dwelling; however, it is reasonable to suggest that the existing dwelling is of no architectural merit, nor does it have any positive impact upon the character or appearance of the conservation area. There is a varied mix in the form, height, siting and materials of dwellings along Cowpitts Lane and the adjoining Burcombe Lane and St Aubyns Lane. The proposed siting and orientation of the replacement dwelling would broadly align with the building lines of the neighbouring properties to the

north and south, of Wychbury Cottage and Northbury Cottage respectively. The proposed materials palette, of warm and burnt effect timber cladding, with some grey stone elements and a raised seem metal roof result in a contemporary appearance, however, not one which is considered to result in any significant harm to the character and appearance of the conservation area. A condition requiring samples of the materials to be submitted for approval can reasonably be applied to ensure their appropriateness.

8.10 Representations have been received from members of the public, and by Ringwood Town Council, in respect of the scheme's 'eco' credentials, and in particular, the compliance with Policy R10 of the adopted Ringwood Neighbourhood Plan. This policy is comprised of five parts, and states (in summary) that:

- a) All development should be zero carbon ready by design to minimise the amount of energy needed to heat and cool buildings through land form, layout, building orientation, massing and landscaping.
- b) Where feasible development should be certified Passivhaus or equivalent standards should be applied.
- c) Requires Certification of the Passivhaus standard if b) applies
- d) Is applicable for Major applications
- e) Requires the submission of a Climate Change Statement

This policy seeks to ensure that sustainable measures are incorporated within the design process, and paragraph 5.61 of the Ringwood Neighbourhood Plan sets out that 'zero carbon ready' by design means making spatial decisions on layout and orientation of buildings to maximise passive design benefits. This policy and its requirements have been addressed within the Supporting Statement, which demonstrates appropriate regard to the orientation and the opportunities for the maximisation of passive solar gain and natural light, and passive cooling; the use of smaller windows upon the western elevation and larger openings upon the eastern elevation, assisting in the thermal performance of the dwelling; and the use of brise soleil upon the rear elevation. The consideration given to design, orientation and materials in the submitted scheme reflects the requirements of part a) of R10.

In addition, Building Regulations will require the highest standards of insulation, and the submitted Sustainability Statement sets out that the dwelling will either meet or surpass the current building regulation requirements. The proposals would deliver a significant improvement in the energy efficiency achieved by the existing buildings on the site. Criteria (b) and (c) of policy R10 state that 'where possible' development should be certified to 'Passivhaus' or equivalent standards. Whilst it is not purported that the dwelling would or could be Passivhaus certified, it is clear that measures have been considered and applied which maximise passive

benefits. Criterion d) is not applicable as this is not a major development, and as aforementioned, a Sustainability Statement, which sets out details as to how the proposal reduces carbon emission and incorporates measures to reduce its contribution to climate change, has been submitted and demonstrates a significant update in energy efficiency compared to the existing dwelling on site.

Whilst the proposal may not fully meet all the criterion within this policy, the proposed replacement dwelling incorporates a series of sustainable design measures, whereas the existing dwelling, by reason of its orientation and construction, would not be capable of achieving similar or the same measures through retrofit. It is therefore concluded that the proposals have given appropriate consideration to the aims of the Neighbourhood Plan policy and proposed replacement dwelling would maximise benefits.

- 8.11 Overall, the design, siting and appearance of the proposed replacement dwelling is considered acceptable.
- 8.12 The proposed replacement outbuilding would be oriented adjacent and perpendicular to the existing outbuilding and be broadly of a similar footprint. Internally, the outbuilding would provide covered parking for two vehicles and a home office. The design of the outbuilding would be simple and would harmonise with that of the dwelling through the use of matching materials. The ridge height of approximately 5.7 metres, whilst not insignificant, would be subservient to the dwelling, and fenestration proposed is minimal. It is noted that some excavation would occur, lowering the ground level upon which the outbuilding would be located. The southern roof slope would feature solar PV panels; the number is small-scale, and therefore compliant with Policy SP14 of the Local Plan. Overall, the proposed replacement outbuilding is considered to adhere to the requirements of Policy DP37 of the Local Plan.
- 8.13 Concern has been raised in respect of impact upon neighbouring amenity in relation to noise disturbance, particularly from the use of the proposed pool, and in relation to the perceived loss of privacy and overbearing appearance. The proposed replacement dwelling would be set centrally within the plot and therefore would be set 12 metres from the northern boundary and 21 metres from the southern boundary, at its closest points. Similarly, the distance between the proposed replacement dwelling and the dwellings at the properties to the immediate north and south would measure approximately 52 metres and 27 metres respectively. Both boundaries are lined with mature vegetation such that the dwellings at these properties are not clearly visible from within the site. This is the case for all dwellings which adjoin the site, particularly those at Burcombe Lane. It is noted that the dwellings at the properties to the north and south of the application site have a much closer relationship with their respective neighbours at St Aubyns Lane and Burcombe Lane than with the existing or proposed dwelling the subject of this application. Whilst some of

the proposed development may become more visible from within neighbouring properties as a result of the increase in height, given the separation distances and boundary treatments, a refusal on the grounds of either overbearing appearance, overshadowing or loss of privacy could not reasonably be sustained. The pool would be located in close proximity to the dwelling, and therefore within its curtilage. The use of the pool by the applicants in conjunction with the enjoyment of the dwellinghouse is not considered to result in any significantly adverse impact in respect of noise that would not be reasonably expected. There are other residential properties in the locality with private swimming pools. It is therefore not considered that the proposal would result in any unacceptable adverse impacts upon neighbouring amenity.

- 8.14 The submitted ABR Ecology Ltd Ecological Assessment Report confirms the dwelling as a roost for brown long-eared bats. As the proposal would result in the destruction of known roosts, the local authority should consider the three tests of a European Protected Species (EPS) Licence prior to granting planning permission. Failing to do so would be in breach of the Conservation of Habitats and Species Regulations (2017) which requires all public bodies to have regard to the requirements of the Habitats Directive in the exercise of their functions.
- 8.15 The first test is effectively whether the proposal is in accordance with the Local Plan. It is considered that the proposal does accord with Policies DP2, DP18, DP35, DP36, DP37, SP16 and SP17, and therefore the proposal does meet the first test. The second test is whether there is any alternative. In this instance, the alternative would be to not replace the dwelling. Whilst theoretically the alteration of the existing dwelling could be possible, it would not allow the applicant to achieve the orientation, internal layout or sustainability credentials desired. Alteration works could also in themselves result in the destruction of the known roost. The only alternative would be for there to be no replacement of the dwelling. This is not considered a reasonable alternative as it would unduly restrict development. As the proposal has been found to be policy compliant in all other respects, the development is also considered to be in accordance with this test.
- 8.16 The third test is whether the conservation status of the species would be affected. The ABR Ecology Ltd Ecological Assessment Report makes recommendations for mitigation, compensation and enhancement in relation to bats which are considered appropriate. On balance, it is likely that a Licence would be granted and therefore the proposal is considered to meet with the Habitats Directive and thus would accord with Policy SP6.

Conclusion

- 8.17 It is therefore recommended that permission be granted, as the proposal is in accordance with Policies DP2, DP18, DP35, DP36,

9. RECOMMENDATION

Grant Subject to Conditions

Condition(s)

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Development shall only be carried out in accordance with drawing numbers:

9514-200 Rev B, 9514-201 Rev B, 9514-202, 9514-203, 9514-204, 9514-109

No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.

Reason: To ensure an acceptable appearance of the building in accordance with Policies SP16, SP17, DP18 and DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

3. No development shall take place above slab level until samples or exact details of the facing and roofing materials have been submitted to and approved in writing by the New Forest National Park Authority.

Development shall only be carried out in accordance with the details approved.

Reason: To ensure an acceptable appearance of the building in accordance with Policy DP2 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) England Order 2015 (or any re-enactment of that Order) no extension (or alterations) otherwise approved by Classes A, B or C of Part 1 of Schedule 2 to the Order shall be erected or carried out without express planning permission first having been granted.

Reason: To ensure the dwelling remains of a size which is appropriate to its location within the countryside and to comply with Policies DP35 and DP36 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

5. Unless otherwise agreed in writing by the National Park Authority, development shall only take place in accordance with the recommendations for ecological mitigation and enhancement which are set out in the ABR Ecology Ltd Ecological Assessment Report dated 23 May 2025 hereby approved. The specified measures shall be implemented and retained at the site in perpetuity.

Reason: To safeguard protected species in accordance with Policies DP2 and SP6 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

6. Upon completion of the development, confirmation of the installation of the ecological mitigation, compensation and enhancement measures as set out within the Ecological Impact Assessment (dated 25 July 2023) hereby approved, shall be submitted to the Authority. This should be undertaken by a professional ecologist, and can be in the form of an email/photos.

Reason: To safeguard protected species in accordance with Policies DP2 and SP6 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

7. All materials, machinery and any resultant waste materials or spoil shall be stored within the red line application site unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of protecting the locally distinctive character of the Western Escarpment Conservation Area in accordance with Policy SP16 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019) as well as the Western Escarpment Conservation Area Management Plan.

8. The outbuilding the subject of this permission shall only be used for purposes incidental to the dwelling on the site and shall not be used for habitable accommodation such as kitchens, living rooms and bedrooms.

Reason: To protect the character and appearance of the countryside in accordance with Policies DP36 and DP37 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

9. No external lighting shall be installed on the site unless details of such proposals have been submitted to and approved in writing by

the New Forest National Park Authority.

Reason: To protect the amenities of the area in accordance with Policies DP2 and SP15 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

10. The open-sided pergola/veranda structures shall at no point be in-filled or incorporated into the main dwellinghouse.

Reason: To ensure the dwelling remains of a size which is appropriate to its location within the countryside and to comply with Policies DP35 and DP36 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

11. The trees on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the measures set out in the submitted Gwydions Tree Consultancy Arboricultural Impact Assessment & Method Statement (ref GH2199) dated 12 May 2025 while in accordance with the recommendations as set out in BS5837:2012.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area.

Informative(s):

1. The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure, or kill great crested newts; damage or destroy a breeding or resting place; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence.

If at any point during construction works any great crested newts are identified, then the following instructions must be strictly adhered to:

Stop all works immediately and leave the area

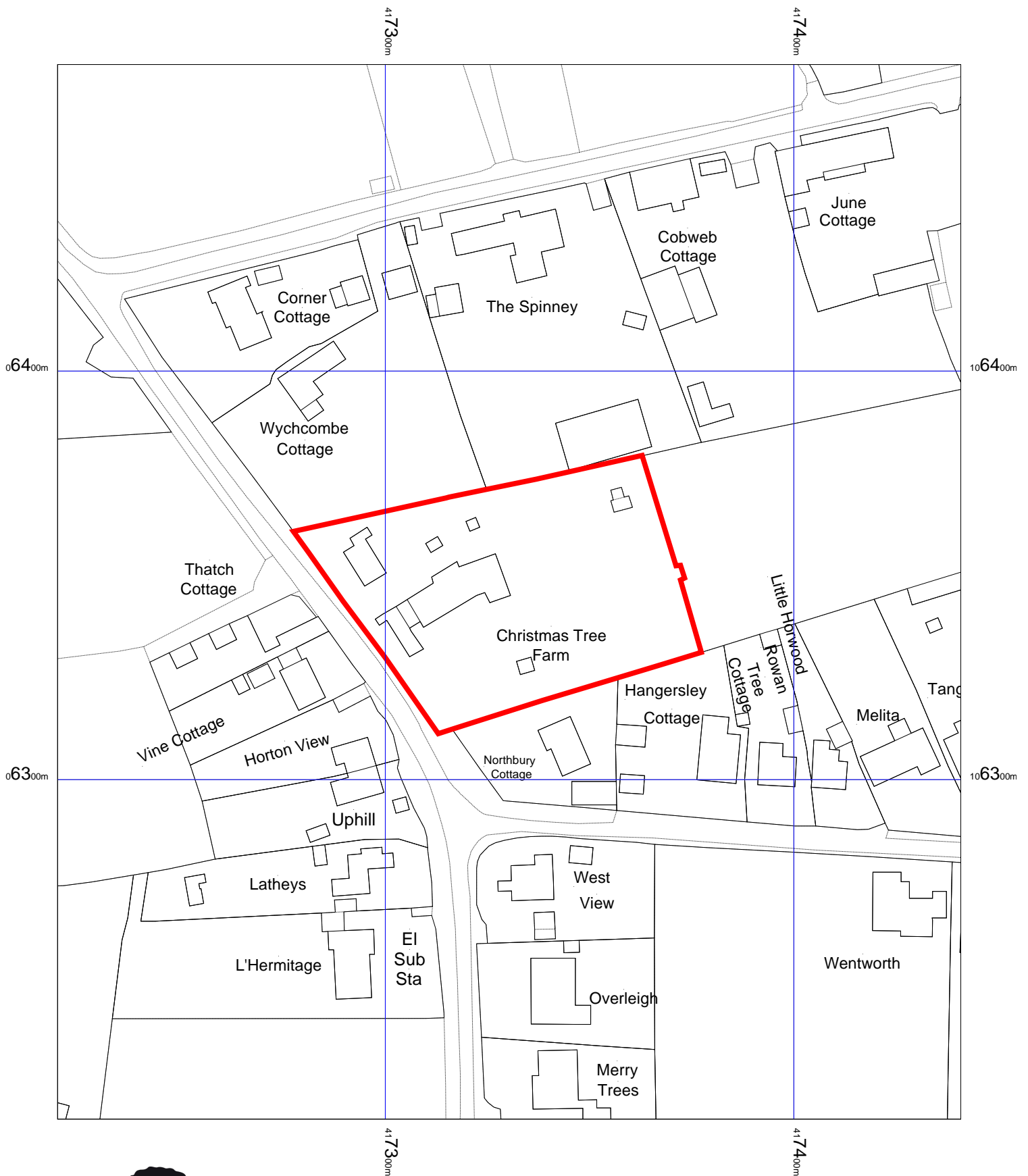
Inform an ecologist immediately who will provide further guidance / instructions

Do not try to handle or rescue a great crested newt

Do not resume construction works until advised it is safe to do so by an ecologist

It should be noted that if an individual great crested newt is found at any point during the works, a European Protected Species Licence (EPSL) or District Licence (DL) may be required to permit works that would potentially cause disturbance and otherwise commit an offence under the relevant legislation.

If the applicant wishes to completely avoid any risks relating to great crested newts, they have the option to enquire for the New Forest National Park Authority's District Licence, which provides full legal cover for any impacts to great crested newts and therefore removes the risk of having to stop works if great crested newts are found on site. More details on the District Licensing Scheme operated by the council can be found at <https://naturespaceuk.com/>.



NEW FOREST
NATIONAL PARK

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