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Application Number: **16/00571**

17 November 2016

TOWN AND COUNTRY PLANNING ACT 1990

Applicant: Forestry Commission

Date of Application: 06 July 2016

THE NEW FOREST NATIONAL PARK AUTHORITY as the Local Planning Authority
REFUSES TO GRANT PLANNING PERMISSION for the following development:

Development Wetland restoration comprising the restoration of meanders, bed level raising (including the main channel, tributaries and side drains), channel infill (including parts of the existing main channel, tributaries and side drains); removal of spoil banks, trees, scrub and vegetation; installation of debris dams; repair of knickpoints; installation of three culvert crossings and the construction and/or replacement of a total of three vehicle and 12 pedestrian fords on the line of the restored watercourse.

Site Part Of The Catchment Area Of The Latchmore Brook Including Studley Wood, Islands Thorns Inclosure, Amberwood Inclosure, Alderhill Inclosure, Slodens Inclosure And Latchmore Bottom. Central Grid Reference Su 2121113830

This decision has been taken in respect of the following plans:

Drawing numbers:

001, Planning Statement, Tree Report, Environmental Statement Vol 1, 2 & 3, Environmental Statement Non-Technical Summary.

Reason(s) for refusal:

1. The construction of the proposed development, in particular the large scale importation of materials and the associated traffic movements, would have an adverse and harmful impact on the residential amenities of local people as well as the wider New Forest landscape. These impacts, whilst relatively short term in nature, are considered to be severe enough to outweigh any longer term benefits that may accrue from the restoration of Latchmore Brook. For these reasons, the proposed development is contrary to Policies DP1 and CP6 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).
2. There is a wide divergence of views on the claimed ecological benefits of the proposed development. In the absence of any overriding or compelling evidence, the Authority is unable to demonstrate that the proposed development would not have a harmful impact on the protected species and habitats of the New Forest SPA, SAC, SSSI and Ramsar Site. For these reasons, the proposed development is contrary to Policies CP1 and CP2 of the New Forest National Park Core Strategy and Development Management Policies (DPD) (December 2010).

Notes to applicant:

1. Important notes, including the rights of appeal, are set out on a sheet attached to this notice and you are advised to read these carefully.

Date: 17 November 2016



Steve Avery
Executive Director (Strategy & Planning)

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal against your local planning authority's decision then you must do so:

within **12 weeks** of the date of this notice for minor commercial applications (typically only apply to an application to alter the shopfront of an A1, A2, A3, A4, or A5 property) **otherwise**; within **6 months** of the date of this notice for all other types of application.

If the application relates to a matter that is the subject of an enforcement investigation the Authority's Enforcement team will contact you again as different timescales are likely to be appropriate.

- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.
- If an enforcement notice has been served in the previous 2 years you will have only 28 days in which to lodge the appeal following the refusal. Equally, if an enforcement notice is served after the refusal it will truncate the period for lodging the appeal against the refusal of planning permission to 28 days after the enforcement notice has been served.

Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.