

NOTICE OF MEETING

Meeting: PLANNING COMMITTEE

Date and Time: WEDNESDAY, 14 AUGUST 2019, AT 9.00 AM*

Place: THE COUNCIL CHAMBER, APPLETREE COURT,
LYNDHURST

Telephone enquiries to: Lyndhurst (023) 8028 5000
023 8028 5588 - ask for Karen Wardle
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PUBLIC PARTICIPATION:

*Members of the public are entitled to speak on individual items on the public agenda in accordance with the Council's public participation scheme. To register to speak please contact Development Control Administration on Tel: 023 8028 5345 or E-mail: DCAdministration@nfdc.gov.uk

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Chief Planning Officer

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This Agenda is also available on audio tape, in Braille, large print and digital format

AGENDA

Apologies

1. MINUTES

To confirm the minutes of the meeting held on 10 July 2019 as a correct record.

2. DECLARATIONS OF INTEREST

To note any declarations of interest made by members in connection with an agenda item. The nature of the interest must also be specified.

Members are asked to discuss any possible interests with Democratic Services prior to the meeting.

3. PLANNING APPLICATIONS FOR COMMITTEE DECISION

To determine the applications set out below:

(a) **1-3 Provost Street, Fordingbridge (Application 19/10539) (Pages 1 - 14)**

Development of 8 dwellings comprised 2 terraces of 3 houses; 1 detached house; Use of outbuilding as dwelling & associated one & two-storey extensions; parking; demolition of existing dwellings

RECOMMENDED:

Refuse

(b) **41 High Ridge Crescent, Ashley, New Milton (Application 19/10618) (Pages 15 - 24)**

Roof alterations in association with new first-floor; single-storey side & rear extension; extend front porch; pitched roof to garage

RECOMMENDED:

Grant subject to conditions

(c) **Club House, New Forest Water Park, Ringwood Road, Fordingbridge (Application 18/11690) (Pages 25 - 52)**

Three-storey extension; extend side dormers; balcony; rooflights; garage/store

RECOMMENDED:

Refuse

(d) **3-7 Water Lane, Totton (Application 19/10545) (Pages 53 - 66)**

First & second floor extension to create 8 flats on first & second floors; landscaping/communal area; cycle and bin stores

RECOMMENDED:

Grant subject to conditions

(e) **38 Manor Road, Ringwood (Application 19/10744) (Pages 67 - 74)**

Single-storey side extension

RECOMMENDED:

Grant subject to conditions

(f) **Arrachar, Fox Pond Lane, Pennington (Application 19/10437) (Pages 75 - 86)**

Variation of condition2 of 17/10532 to allow revised plans PE.02 Rev H, PL.01 Rev E & PP.01 Rev D to allow first-floor side extension; timber cladding; fenestration alterations; window alterations to ancillary building

RECOMMENDED:

Grant the variation of condition.

(g) **Parsonage House, Green Lane, Fordingbridge (Application 19/10300)
(Pages 87 - 96)**

Single-storey extension

RECOMMENDED:

Refuse

(h) **Parsonage House, Green Lane, Fordingbridge (Application 19/10301)
(Pages 97 - 104)**

Single-storey extension; roof light; demolition of existing rendered single storey rear extension (Application for Listed Building Consent)

RECOMMENDED:

Refuse

(i) **Parsonage House, Green Lane, Fordingbridge (Application 19/10339)
(Pages 105 - 114)**

First-floor rear extension

RECOMMENDED:

Refuse

(j) **Parsonage House, Green Lane, Fordingbridge (Application 19/10340)
(Pages 115 - 122)**

First-floor rear extension; create opening through first floor gable wall (Application for Listed Building Consent)

RECOMMENDED:

Refuse

4. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

To:

Councillors:

Christine Ward (Chairman)
Christine Hopkins (Vice-Chairman)
Sue Bennison
Hilary Brand
Fran Carpenter
Rebecca Clark
Anne Corbridge
Kate Crisell
Arthur Davis
Jan Duke

Councillors:

Barry Dunning
Allan Glass
David Hawkins
Maureen Holding
Mahmoud Kangarani
Joe Reilly
Tony Ring
Ann Sevier
Beverley Thorne
Malcolm Wade

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Application Number: 19/10539 Full Planning Permission

Site: 1-3 PROVOST STREET, FORDINGBRIDGE SP6 1AY
Development: Development of 8 dwellings comprised 2 terraces of 3 houses; 1 detached house; Use of outbuilding as dwelling & associated one & two-storey extensions; parking; demolition of existing dwellings
Applicant: Crownshade Ltd
Target Date: 27/06/2019
Extension Date: 23/08/2019
Link to case file: [view online here](#)

1 SUMMARY OF THE MAIN ISSUES

The following are considered to be the main issues to be taken into account when determining this application. These, and all other relevant considerations, are set out and considered in Section 11, of this report after which a conclusion on the planning balance is reached.

- (1) Impact upon the character of the area and heritage assets
- (2) Impact upon adjoining amenity
- (3) Highway Impacts
- (4) Tree Impacts

This matter is before Committee as the recommendation to refuse is contrary to the view of the Town Council.

2 THE SITE

The site currently forms the curtilages of 2 no. bungalows and outbuildings to the south east of Provost Street, Fordingbridge. The bungalows are of no special architectural or historic interest. The site is within the Fordingbridge Conservation Area, the character and appearance of which would be impacted by development in this location. Provost Street branches off from the High Street and the entrance to the site in question is between nos. 11 and 15 Provost Street. Provost Street has buildings of a range of dates and styles and most of the more interesting ones are on the opposite side of the street to the West. From the entrance the site is quite deep and leads to the limits of Fordingbridge's development boundary. Beyond the boundary, is an undeveloped green area of land, which is designated as Landscape Feature under saved policy DW-E12. This part of the site is also within Flood Zones 2 and 3. There is a protected tree close to the boundary with no. 1 Highbank Gardens. Nearby are several developments of mews-style housing built in the past 20 or 30 years. Mostly brick and 2-storey, these developments stretch off at 90 degrees to the line of the street and to the rear. Quality varies in the architecture and built form of these mews style areas. Some contribute positively but others less so. The site is not flat, the existing level of the land rising up from the street entrance and then gently descends as the natural setting leads down to the river flats in the distance to the East and South, which is defined as a Landscape Feature.

3 THE PROPOSED DEVELOPMENT

The submitted scheme seeks permission for the redevelopment of the site. It entails removal of 2 no. bungalows and one outbuilding, retention and conversion of a two storey brick built structure and erection of a further 7 new dwellings. Much of the vegetation on the site would be removed to facilitate development. Total dwellings sought on the site would be eight, 2 no. detached and 6 no. linked, which would take a conventional form with a mix of gable and hipped roofs and finished in brick, slate and stone lintels. Two car port structures to accommodate six cars would be provided adjoining the main access to the site and off-street parking would be provided for a total of 8 vehicles for use by future occupiers, accessed from an existing point of access from Provost Street.

4 PLANNING HISTORY

This site has no formal planning history of direct relevance, but has been the subject of several pre-application enquires in recent years, as follow:

ENQ/18/20548/CMNH - a pre-application proposal in May 2018 for nine dwellings concluded that while the principle of a slightly more intensive form residential development may be supported on this site, the form of development proposed was overdeveloped, with layout concerns that would fail to enhance the character of the Conservation Area.

ENQ/18/20196/MARC - a pre-application proposal in April 2018 for 10 dwellings concluded the proposal would be unacceptable due to concerns over heritage and character impacts, and residential amenity.

13/11382 - Continued use of land as residential curtilage (lawful use certificate for retaining an existing use) - Was lawful December 2013

ENQ/13/21844/MIRC - a pre-application proposal in April 2014 for 9 dwellings concluded there may be scope to redevelop this site, but considered it fundamental to include the frontage building and car parking in the proposals for a more comprehensive development that would need to demonstrate enhancements. Improvement to the layout of the site would also need to be achieved by reducing the level of built development and a more spatial setting created.

ENQ/13/20214 - a pre-application proposal in May 2013 proposed 3 options for residential development of the site. While no plans were provided it suggested there was a possibility that a comprehensive scheme involving Nos 7-11 Provost Street and Jacksons Solicitors could come forward. None of the options were supported, but the Council considered it fundamental to include the frontage building to provide a more comprehensive form of development.

5 THE DEVELOPMENT PLAN AND OTHER NFDC GUIDANCE

Core Strategy

CS1: Sustainable development principles

CS2: Design quality

CS3: Protecting and enhancing our special environment (Heritage and Nature Conservation)

CS6: Flood Risk

CS10: The spatial strategy

CS20: Town, district, village and local centres
CS25: Developers contributions

Local Plan Part 2 Sites and Development Management Development Plan Document

DM1: Heritage and Conservation
DM3: Mitigation of impacts on European nature conservation sites
DM17: Local shopping frontages in the built-up areas
DW-E12 (Saved Policy) - Protection of Landscape Features

NFDC Local plan Review 2016-2036 Part 1: Planning Strategy Submission Document (June 2018)

The Local Plan review 2016-2036 is at an advanced stage in its preparation, in that it has been submitted to the Secretary of State and is under Examination. It is therefore a material consideration which can be given weight in decision-making. The following policies from the Emerging Local Plan are considered to be material considerations in this case:

Policy 1 - Achieving Sustainable Development
Policy 5 - Meeting our housing needs
Policy 10 - Mitigating the impact of development on International Nature Conservation sites
Policy 11 - Heritage and conservation (Saved Policy DM1)
Policy 13 - Design Quality and local distinctiveness

Supplementary Planning Guidance

SPG - Fordingbridge Conservation Area Appraisal
SPD - Fordingbridge Town Design Statement
SPD - Mitigation Strategy for European Sites
SPD - Parking Standards (NFDC 2012)

6 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

National Planning Policy Framework

Chapter 5 (Delivering a sufficient supply of homes)
Chapter 12 (Achieving well-designed places)
Chapter 16 (Conserving and enhancing the historic environment)

7 PARISH / TOWN COUNCIL COMMENTS

Fordingbridge Town Council - Recommend permission under PAR 3 as it makes use of currently derelict site and in keeping with others in area.

8 COUNCILLOR COMMENTS

No comments received

9 CONSULTEE COMMENTS

The following is a summary of the representations received which can be read in full via the link set out at the head of this report.

Environmental Design Team (Conservation) -this is a proposal for 8 dwellings

placed in a rear plot within the Conservation Area of Fordingbridge. This site has had a series of pre-application submissions where officer advice was given. While the scheme has changed a little from the last enquiry, the fundamental concerns raised at pre-application stage have not been addressed, due to missing heritage information, the general design approach and architectural design. This is an important town centre site and requires a well-considered responsive scheme to balance any harm to heritage assets and their setting. The previous advice given by the LPA has not been responded to by the application and as presented the scheme does not provide the response to character that was advised. It is suggested that a fresh start is required and that the degree of built form is reduced significantly along with a much clearer contextual layout. This would allow it to respond more harmoniously to the conservation area and officers could assist more proactively with solutions for the scheme. A significant reduction in development form would allow the scheme to balance harm against any public benefits more positively.

When an authority finds that a proposed development would harm the setting and significance of a heritage asset or the character or appearance of a conservation area, it must give that harm considerable importance and weight. My judgement under the NPPF is a finding of less than substantial harm to the setting and character of heritage assets and the conservation area and this gives rise to a strong presumption against planning permission being granted. While set out as less than substantial, the harm to the significance is still high for the reasons given above. The presumption against planning permission is a statutory one and the authority must be conscious of the statutory presumption in favour of preservation and should demonstrably apply that presumption to the proposal it is considering.

The local authority has a clear commitment to local distinctiveness and the design policies set out in its development framework. The scheme does not respond to these factors and moves so far away from the prevailing character and context it is felt to have a significantly damaging effect on local attributes. As submitted the scheme is recommended for refusal.

Waste Management - no objection

Tree Team - an Arboricultural Assessment and Method Statement has been submitted. The site has a large collection of trees, shrubs and hedgerows of varying size, significance and quality. Several mature fine specimen trees are growing within and adjacent to the site however they have been marked to be retained and sufficiently protected as shown within the submitted Tree Protection Plan. Walnut tree (T4) within the Tree Protection Plan and situated off site will be vulnerable to damage through disturbance occurring within the root protection area. The Tree Protection Plan specifies that a custom designed permeable surfacing will be used, however the exact construction method and materials to be used has not been provided. A large number of small trees and shrubs are to be removed to facilitate the development, while these trees do contribute to vegetation cover within the site these are not considered suitable for inclusion within a TPO. Overall the proposed development takes into account existing mature trees and should as a result have minimal arboricultural impact. No objection subject to tree protection condition.

Wessex Water - no objections, subject to foul drainage condition and informatives.

HCC Highways - this development has been subject to pre-application

discussions between the applicant's transport consultant and the highway authority. During these discussions, various issues were discussed and agreed as outlined below:

- The width of the access should not be less than 4.5m;
- The highway authority has agreed that whilst the visibility splay to the north at the access is substandard due to the obstruction by cars on the nearby parking bays, given the fact that no accident is recorded in relation to either the access or the parking bays, the existing visibility at the access is considered to be acceptable.
- The highway authority has also agreed that the reduced parking provision is acceptable given the location of the site being very close to the town centre and overspill parking (if any) is unlikely to result in detrimental effect on the local highway network.
- Cycle parking facility should be provided.
- Vehicle turning space should be provided within the site.
- Refuse collection point to be within 25 metres of the highway.

Having reviewed the Transport Statement submitted in support of the application, the Highway Authority is satisfied that the design of the proposal conforms with the above requirements and agreements. Therefore it is considered the proposal would unlikely cause a material adverse impact upon the operation or safety of the local highway network and raise no objection, subject to Access/Turning/Parking, cycle parking and Construction Traffic Management Plan conditions.

HCC Drainage - as this application relates to a site which is less than 0.5 hectare in size (residential) and under 1000 Sq.m floor space, (fewer than 10 dwellings) or under 1 hectare in size (commercial) there is no need for us to comment on it at this time. Also give informatives on surface water discharge and works to watercourses.

Southern Gas Networks - give informatives

ESP Utilities - no objections

10 REPRESENTATIONS RECEIVED

None

11 OFFICER COMMENTS

Introduction

11.1 The site currently forms the curtilages of 2 no. bungalows and outbuildings to the south east of Provost Street, Fordingbridge. The bungalows are of no special architectural or historic interest. The site is within the Fordingbridge Conservation Area, the character and appearance of which would be impacted by development in this location. Provost Street branches off from the High Street and the entrance to the site in question is between nos. 11 and 15 Provost Street. Provost Street has buildings of a range of dates and styles and most of the more interesting ones are on the opposite side of the street to the West. From the entrance the site is quite deep and leads to the limits of Fordingbridge's development boundary. Beyond the boundary, is a undeveloped green area of land, which is designated as Landscape Feature under saved policy DW-E12. . This part of the site is also within

Flood Zones 2 and 3. There is a protected tree close to the boundary with no. 1 Highbank Gardens. Nearby are several developments of mews-style housing in the past 20 or 30 years. Mostly brick and 2-storey, these developments stretch off at 90 degrees to the line of the street and to the rear. Quality varies in the architecture and built form of these mews style areas. Some contribute positively but others less so. The site is not flat, the existing level of the land rising up from the street entrance and then gently descends as the natural setting leads down to the river flats in the distance to the East and South, which is defined as a Landscape Feature.

Relevant Considerations

Impact upon the character of the area and heritage assets

- 11.2 Being within the town's Conservation Area, the layout, design and materials of construction will be expected to be of high quality and to comply with the provisions of Policies CS2, CS3 and DM1, the Town Design Statement and Conservation Area Appraisal. These policies and documents require consideration of the character impacts of the type of development proposed and seek to ensure that all new development is appropriate and sympathetic to its setting and sensitive to identified heritage assets. Specifically, it needs to be considered whether the design, layout and number of units proposed would enhance the quality of the conservation area. Whether the position of buildings, gardens, vehicular access, parking and turning arrangements allow sufficient scope for meaningful landscaping, which might off-set any loss of the currently open and verdant character of the site. Retention of the small outbuilding is welcomed, although it needs to be considered whether the alterations to it are acceptable and how the siting and scale of new buildings flanking it will impact upon its setting. The raised level of the site must also be taken into consideration, to ensure this elevated backland plot does not become dominated by overly large structures, in the interests of protecting the prevailing character of the conservation area. Care will need to be exercised over encroachment towards the open portion of the site to the south, which is protected as a Landscape Feature by policy DW-E12. This area should not be eroded by subdivision, close boarded fences and domestic clutter.
- 11.3 The Conservation Officer notes that a characteristic of Fordingbridge is the rear plots, developed either with small runs of cottages or collections of outbuildings. They often create a small tight grained lane of courtyard style of development. This scheme picks up on very little of that contextual response and defers too heavily to road and parking arrangements. The desire for 8 units drives the design, which feels squeezed and lacks any response to its open space qualities. While there are buildings on site at present these do not dominate and currently feel secondary to the green space and planting on site.
- 11.4 The proposal simply seeks too many units on the site, which drives a poor response to context and layout. Space is dominated by a standard suburban road and turning head details. Parking then dominates the remaining spaces to the front of the buildings and between units. The existing site has a collection of buildings on site and while most are of little historic value they do not impose themselves upon the site. There is a verdant green and open character to the existing site which is not maintained in the current proposal.

- 11.5 The general form scale and massing are quite suburban units with little response to the contextual attributes of Fordingbridge. The proposal seeks a scattering of disparate housing units which bear little relationship to each other or to surroundings buildings. The architectural design uses a traditional reference, but this is weakened in its application to standard suburban housing types, particularly apparent in Plots 4, 5 and 6 are narrow frontage deep plan dwellings with overly wide gable widths and non-traditional, shallow roof pitches. Plot 4 presents a poor and overly large gable elevation directly upon the site boundary and there are a number of awkward sides and ends apparent in the proposed layout. The rear of plot 4-6 is poor and will be visible in the rise of land from across the river. The book-ending of Plot 7 by the much higher buildings proposed at Plots 6 and 8, further erodes the setting of the retained outbuilding, which loses all of its character as a simple building, the proposed additions producing what appears as another standard house type. The level of extension and alteration to this building erodes its historic appearance and remaining character. Plots 1, 2 and 3 are wide in their footprint and again, create a poor elevation onto the rear courtyard of the solicitors to the north east.
- 11.6 The proposed landscaping arrangements are weak, informed by the poorly considered layout and high density. The functional arrangement of buildings is further harmed by the random and dominant collection of parking spaces, access layout and scattered areas of space left over. Vehicular access, turning and parking requirements, including 6 no. car port structures along the site entrance define the layout. The access road has standard widths and carriageway alignment and brings little of quality to the scheme. In particular there is little landscape attention to the main access from Provost Street. Parking dominates the main space as one enters the proposal and is positioned poorly in respect of the elevation of unit 1. Two further spaces are jammed between units 6 and 7 and along with the random path and turning head provide a poor setting for this non-designated heritage asset. The use of a standard old fashioned turning head and no cohesive landscaping means the space between the buildings brings little of quality to the scheme.
- 11.7 The density proposed adversely impacts on the green and open space contribution this site makes. The proposal for 8 larger dwellings dominates the site and adversely shifts the balance of open space to built form. Space which remains is either meaningless elements to the front of buildings or long linear garden sections subdivided by poor quality timber fence panels, which will also detract from the quality of the Landscape Feature and weaken its qualitative contribution to the character of the conservation area. While the site as a whole is quite generous, approximately 40% of the site is within the designated Landscape Feature, identified as important green space in the Conservation Area Appraisal. The Landscape Feature is indicated for use as gardens for Plots 4-8, but the upshot is that all of the built form proposed is squeezed into approximately 60% of the site. There is little scope to move built form into the Landscape Feature, as it slopes away steeply and would be highly visible in views from the Recreation Ground to the east. The 'squeezing' of built form into the available land to the west of the site, leads officers towards the conclusion that too many units are being sought and that the scheme would be too intense and overdeveloped.
- 11.8 The proposed development fails to pick up on the local context and

would not enhance urban design or quality of the character and appearance of the conservation area, by virtue of the number, bulk, size and suburban appearance of the buildings, coupled with the rise in site levels from the street, which would result in the rear plot becoming dominant, contrary to the prevailing character of the conservation area. The site would be overdeveloped, dominated by standard suburban buildings, access, parking and turning head details with little in the way of landscaping. Furthermore the poor boundary treatment proposed for Plots 4-8 would erode the quality of the Landscape Feature to the rear of the site. Overall the proposal fails to create that sense of place or respond to local distinctiveness as set out within the NPPF.

Impact upon adjoining amenity

- 11.9 Policy CS2 requires the impact of development proposals upon adjoining amenity and the amenity of future occupiers of the development to be considered.
- 11.10 The amenity of future occupiers of the proposed development would appear to be broadly acceptable in terms of garden curtilage.
- 11.11 In terms of existing amenity, the siting, design and scale of the most south westerly plot must ensure that no loss of privacy, light, loss of outlook or overbearing impact would occur in respect of occupiers of no. 1 Highbank Gardens. In these respects, the siting on the boundary and scale of Plot 4 is unfortunate in that it presents a very large, deep and blank gable elevation to the rear garden curtilage of no. 1 Highbank Gardens. While Plot 4 would not present any problems as far as privacy is concerned, its impact in terms of overbearing impact, outlook and light loss, particularly considering its elevated position above the garden area of no. 1 need to be carefully considered.
- 11.12 The siting of Plot 4 is close to the footprint of a hipped roof bungalow on site. While its footprint would be slightly smaller than the existing bungalow, its two storey height, depth and full gable end, mean that its presence will be much more noticeable. Plot 4 would be on significantly higher land than Highbank Gardens and would be sited slightly closer to the boundary than the current bungalow. It is not clear whether the boundary hedge can be retained following development, but the siting, depth, scale, elevated position and full gable end would present a significant structure to the outlook from no. 1 Highbank Gardens. While no objection has been received to the scheme from the occupiers of no. 1, it is the view of officers that Plot 4 would present an uneighbourly and overbearing form of development to the outlook from the rear garden of no.1 Highbank Gardens, contrary to the amenity related provisions of Policy CS2 and emerging Policy 13. The siting and footprint of Plot 4, right up to the common boundary of no. 1 Highbank Gardens, is again indicative of the overdeveloped form of development sought here.

Highway Impacts

- 11.13 Eight off-street parking spaces would be provided for the form of development proposed here. With regard to Parking Standards and assuming the dwellings would have communal parking arrangements, the scheme would be expected to provide 14 off-street parking spaces. If spaces were dedicated, 18.5 spaces would be required. The proposal does not comply with adopted parking standards, although reduced

provision may sometimes be acceptable in town centre locations with access to local services and public transport.

- 11.14 The Highway Authority accept that the reduced parking provision is acceptable, given the location of the site close to the town centre and overspill parking is unlikely to result in detrimental effect on the local highway network. Having reviewed the Transport Statement submitted in support of the application, the Highway Authority is satisfied that the proposal would unlikely cause a material adverse impact upon the operation or safety of the local highway network, subject to Access/Turning/Parking, cycle parking and Construction Traffic Management Plan conditions.
- 11.15 While the proposed development has a significant shortfall in off-street parking provisions, it is not considered that a reason for refusal can be substantiated on the basis of under-provision. However, the shortfall in off-street parking is again indicative of the overdeveloped nature of the development referred to in the Character Section above.

Tree Impacts

- 11.16 Situated on the western boundary of the site, within the curtilage of no. 1 Highbank Gardens is a large, mature Walnut protected by TPO:27/94. The submission is supported by an arboricultural method statement and tree protection plan. The Tree Officer notes that the proposed development takes into account existing mature trees and should as a result have minimal arboricultural impact. Consequently they raise no objection, subject to a tree protection condition.
- 11.17 The Tree Officer notes that a large number of small trees and shrubs are to be removed to facilitate the development, reflecting the verdant nature of the site as it currently exists. These trees do contribute to vegetation cover within the site but are not considered by the Tree Officer to be suitable for inclusion within a TPO. Nevertheless, the proposed site plan shows only very modest and inadequate levels of soft landscaping, which struggles to compensate for the loss of verdant vegetative cover from the site and is again indicative of overdeveloped form of development sought here.

Flood Risk

- 11.18 Based on the Environment Agency's flood risk maps, the garden areas to the south east would be within either a Flood Zone 2 or 3. However, the Flood Zones are located within the Landscape Feature to the south east of the site, which will be used as garden areas for Plots 4-8. The built portion of the site is set at a much higher level than the Flood Zone and would not be at flood risk.

12 CONCLUSION ON THE PLANNING BALANCE

- 12.1 The Council accepts that there is currently a need for additional housing within the District and does not dispute that the site is capable of accommodating more dwellings than are currently in situ. It is also acknowledged that the site is in an accessible town centre location and that social, economic and community benefits may be derived from developing the site in an optimum way. However, the proposed development goes beyond 'optimum' use of the site, resulting in less than

substantial harm identified to heritage assets, from its overdeveloped form and adverse amenity impacts outlined above. It is considered that benefits could be derived from a less intensive form of residential development on this site, but it must be concluded that the harm caused by the current proposal outweigh the public benefits of the development. Accordingly the proposal is recommended for refusal.

13 OTHER CONSIDERATIONS

Crime and Disorder

None

Local Finance

If this development is granted permission, the Council will receive New Homes Bonus of £9,792 in each of the following four years, subject to the following conditions being met:

- a) The dwellings the subject of this permission are completed, and
- b) The total number of dwellings completed in the relevant year exceeds 0.4% of the total number of existing dwellings in the District.

Based on the information provided at the time of this report this development has a CIL liability of £41545.48.

Human Rights

In coming to this recommendation, consideration has been given to the rights set out in Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to peaceful enjoyment of possessions) of the European Convention on Human Rights. Whilst it is recognised that this recommendation, if agreed, may interfere with the rights and freedoms of the applicant to develop the land in the way proposed, the objections to the planning application are serious ones and cannot be overcome by the imposition of conditions. The public interest and the rights and freedoms of neighbouring property owners can only be safeguarded by the refusal of permission.

Equality

The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty *inter alia* when determining all planning applications. In particular the Committee must pay due regard to the need to:

- (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Housing Need

A further material consideration is that the level of housing need in the District is sufficiently above the level of housing supply to know that a five year supply of housing land is currently unavailable. This situation will be addressed through the emerging local plan, but until the new Local Plan is adopted, paragraph 14 of the NPPF advises that planning permission for housing development should normally be granted unless any planning harm identified would "*significantly and demonstrably outweigh the benefits*". This is known as the 'tilted balance' in favour of sustainable development. In this case it is considered that the adverse impacts of development set out above, significantly and demonstrably outweigh the benefits and therefore the tilted balance in favour of refusal of permission is a material consideration in assessing this application.

Habitat Mitigation

In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting permission would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of that site's conservation objectives. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the recreational impacts on the European sites, but that the adverse impacts would be avoided if the planning permission were to be conditional upon the approval of proposals for the mitigation of that impact in accordance with the Council's Mitigation Strategy or mitigation to at least an equivalent effect. An informative would be applied to any consent to this effect.

In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting planning permission would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of that site's conservation objectives having regard to phosphorous levels in the River Avon. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the impacts of additional phosphate loading on the River Avon, but that the adverse impacts will be avoided through the future implementation of mitigation projects which will, in the short term, be paid for by the Council from its CIL receipts.

The Council has been advised by Natural England and the Environment Agency that existing measures to off-set the amount of phosphorous entering the River Avon as set out in the Hampshire Avon Nutrient Management Plan will not be sufficient to ensure that adverse effects on the integrity of the River Avon Special Area of Conservation do not occur. Accordingly, new residential development within the catchment of the Hampshire Avon needs to be "phosphate neutral". In order to address this matter the Council in conjunction with Natural England, the Environment Agency and adjoining local authorities propose to develop appropriate phosphorous controls and mitigation measures to achieve phosphorous neutrality. A Memorandum of Understanding to that effect has been signed by the aforementioned parties. In accordance with the Portfolio Holder for Planning and Infrastructure Decision of 11 December 2018, this Council has ring fenced up to £50,000 of held CIL funds to direct towards a suitable infrastructure project upstream to provide suitable mitigation, therefore there is no further requirements on developments.

14. RECOMMENDATION

Refuse

Reason(s) for Refusal:

1. The proposed development fails to pick up on the local context and would not enhance urban design or quality of the character and appearance of the conservation area, by virtue of the number, bulk, size and appearance of the buildings, coupled with the rise in site levels from the street, which would result in the development to the rear of the plot becoming dominant. The site would be overdeveloped, dominated by standard suburban buildings, access, parking and turning head details with little in the way of landscaping. Furthermore the poor boundary treatment proposed for Plots 4-8 would erode the quality of the Landscape Feature to the rear of the site. Consequently the proposed development would fail to take the opportunity to enhance local distinctiveness and would cause harm to the character and appearance of Fordingbridge Conservation Area, contrary to the provisions of Policies CS2, CS3 and Saved Policy DW-E12 of the Core Strategy for the New Forest District outside the National Park (2009), Policy DM1 of the Local Plan Part 2 (Sites and Development Management DPD) 2014, Paragraph 192 of the NPPF, Fordingbridge Conservation Area Appraisal, Fordingbridge Town Design Statement and Policies 11 (Saved Policy DM1) and 13 of the NFDC Local Plan Review 2016-2036 Part 1: Planning Strategy Submission Document (June 2018).
2. The siting and scale of Plot 4 would present an uneighbourly and overbearing form of development to the outlook from the rear garden of no.1 Highbank Gardens, to the detriment of adjoining residential amenity, contrary to the amenity related provisions of Policy CS2 of the Core Strategy for the New Forest District outside the National Park (2009) and Policy 13 of NFDC Local plan Review 2016-2036 Part 1: Planning Strategy Submission Document (June 2018).

Notes for inclusion on certificate:

1. In accordance with paragraph 38 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants.

In this case the application was subject to a pre-application advice enquiry,

where officers outlined their concerns in relation to the quantum of development sought and potential impacts of the proposal on the character of the conservation area. While amendments were made following the pre-application scheme, they did not go far enough to allay the concerns of officers. The concerns of officers were conveyed to the agent during the course of determination of the application, but due to the applicant's requirement to secure a certain number of units on the site, further modifications were not requested or offered. In the circumstances, officers of the Council took the view that the application should be refused.

Further Information:

Jim Bennett

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DISTRICT COUNCIL

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Claire Upton-Brown
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SO43 7PA

PLANNING COMMITTEE

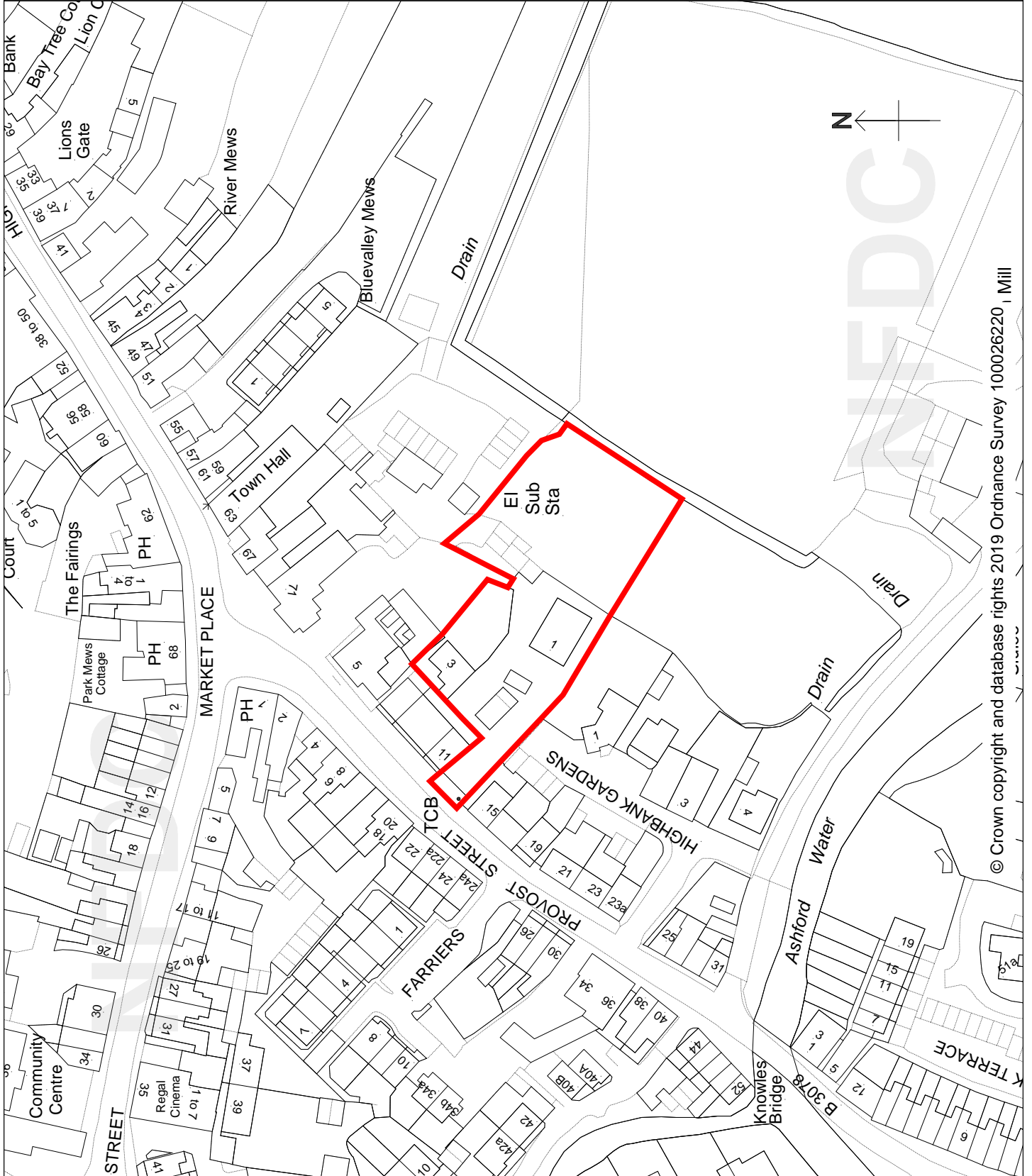
August 2019

Item No: 3a

1-3
Provost Street
Fordingbridge
19/10539

Scale 1:1250

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Application Number: 19/10618 Full Planning Permission

Site: 41 HIGH RIDGE CRESCENT, ASHLEY, NEW MILTON
BH25 5BT

Development: Roof alterations in association with new first-floor; single-storey side & rear extension; extend front porch; pitched roof to garage

Applicant: Mr Bird

Target Date: 08/07/2019

Extension Date: 30/08/2019

Link to case file: [view online here](#)

1 SUMMARY OF THE MAIN ISSUES

The following are considered to be the main issues to be taken into account when determining this application. These, and all other relevant considerations, are set out and considered in Section 11, of this report after which a conclusion on the planning balance is reached.

- (1) Street scene and character of the area
- (2) Neighbour amenity
- (3) Parking

This matter is being considered by Committee as the recommendation is contrary to the view of New Milton Town Council

2 THE SITE

The application site consists of a detached hipped roof bungalow with attached flat roof garage to the side, the dwelling is situated within a reasonable sized plot commensurate with the size of immediate neighbouring properties. The property backs onto the side boundary of Ashley Junior School playing fields. The dwelling is situated within an established residential road, within the built up area of New Milton. The road is characterised by detached dwellings, there are a mixture of houses and bungalows. These properties also include dwellings that have been subject to roof alterations to create first floor accommodation and furthermore dormers are a feature of the road.

3 THE PROPOSED DEVELOPMENT

The proposal would increase the overall height of the dwelling by approximately 900mm, and would extend over the existing attached garage. The main roof form would be changed from hip to gable, with dormers on the front and rear elevations. The existing subservient front projecting hip would be increased in width by 1.5m and in height by 0.5m, however it would still be subservient to the height of the extended dwelling, and would be sited centrally on the front elevation. The extended dwelling would respect the existing relationship with the side boundaries of the site, but the dwelling would be extended to the rear (thereby increasing the overall depth of the dwelling by 2m) and squared off behind the existing garage. Tile hanging is proposed on the side elevations and dormers, to match the existing roof.

4 PLANNING HISTORY

None relevant

5 THE DEVELOPMENT PLAN AND OTHER NFDC GUIDANCE

Constraints

Plan Area
Historic Land Use
Aerodrome Safeguarding Zone

Plan Policy Designations

Private/Education Recreational Land
Built-up Area

Core Strategy

CS2: Design quality

Local Plan Part 2 Sites and Development Management Development Plan Document

None relevant

Emerging Local Plan

Policy 13: Design quality and local distinctiveness
SO3: Built environment and heritage

Supplementary Planning Guidance And Documents

SPD - New Milton Local Distinctiveness
SPD - Parking Standards

6 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Relevant Legislation

Section 38 Development Plan
Planning and Compulsory Purchase Act 2004

Relevant Advice

National Planning Policy Framework:
Chap 12: Achieving well designed places

7 PARISH / TOWN COUNCIL COMMENTS

New Milton Town Council: object (non-delegated)

- (1) Lack of on-site parking
- (2) Overlooking to neighbouring gardens and school field to the rear
- (3) Impact to solar panel on roof of number 39.

8 COUNCILLOR COMMENTS

No comments received

9 CONSULTEE COMMENTS

The following is a summary of the representations received which can be read in full via the link set out at the head of this report.

Environmental Health Contaminated Land: no objection subject to condition

10 REPRESENTATIONS RECEIVED

The following is a summary of the representations received.

For: 0

Against: 5

- loss of light to garden of number 43 High Ridge Crescent
- overlooking from 3 first floor rear windows resulting in loss of privacy for occupants of number 43 High Ridge Crescent
- overdevelopment of the plot by reason of changing from bungalow to two storey house, and increase in width of dwelling
- parking pressures on road could lead to highway hazard
- overlooking from first floor front dormers which would look directly at 18a High Ridge Crescent
- out of keeping with the street scene
- concern if closer to boundary with 39 High Ridge Crescent
- possible shadowing of solar panel on 39 High Ridge Crescent
- question whether used for residential or commercial
- concern if damage from building works to neighbouring property
- set a precedent for developing other bungalows within the road

11 OFFICER COMMENTS

Introduction

- 11.1 The application site is located within the built-up area of New Milton t therefore the principle of the proposed development is acceptable, subject to the proposal safeguarding the amenities of adjoining dwellings and the character and appearance of the area.

Relevant Considerations

- 11.3 The National Planning Policy Framework (2019) in Chapter 12 (Achieving well-designed places) puts strong emphasis on delivery of good design which helps to create "better places in which to live and work and helps make development acceptable to communities" (para. 124). The Framework also calls for "a high standard of amenity for existing and future users" (para. 127).
- 11.2 Policy CS2 of the Core Strategy for the New Forest District outside the National Park (2009) requires new development to be well designed to respect the character, identity, and context of the area's towns, villages and countryside. It also states that new development shall not cause unacceptable effects by reason of visual intrusion, overlooking, shading, noise, light pollution or other adverse impact on local character and amenities. This advice is reflected in the emerging Local Plan, namely Policy 13 - Design quality and local distinctiveness.

Street scene and character of the area

- 11.4 Taking into account the varied street scene, the principle of increasing the height of the dwelling would not have an adverse impact within the street scene especially as to the south of the application site there is a detached two storey house, and in the wider road there are examples of bungalows that have been extended to create first floor accommodation. It would form a transition between the bungalow (39 High Ridge Crescent) and the house (43 High Ridge Crescent). Furthermore, the change from hip to gables on the side elevations would be similar to other development in the road, notably the form of the dwellings immediately opposite (18 and 18A High Ridge Crescent). The side gable facing 39 High Ridge Crescent would be visible within the street scene, but this would not detract from the street scene as it would have a similar relationship within the road as no 18 High Ridge Crescent.
- 11.5 The application site has a reasonable sized plot, which would be able to accommodate the proposed extensions without detracting from the character of the area. The proposed extensions would not increase the width of the dwelling, though extending over the existing attached garage would increase the bulk of the building and thereby potentially impacting upon the spatial characteristics of the site. However there is not a distinctive pattern of gaps between properties within High Ridge Crescent, and the dwelling would be set off the side boundaries with the neighbouring properties. As such it would not detract from the spatial characteristics of the site.
- 11.6 Taking into account the above, the resulting dwelling would be in keeping with the street scene and be appropriate to the character of the area.

Impact on the amenities of Neighbouring residents

- 11.7 The footprint of the dwelling would not come any closer to the neighbouring dwellings. The increase in ridge height with the introduction of rear dormers would make the dwelling more visible to the adjoining neighbours, however the first floor windows would be rearward facing and any views over the neighbouring rear gardens would be oblique. This type of relationship with neighbouring properties is not uncommon in an urban area and is considered to be an acceptable relationship. To the rear of the site are the playing fields serving Ashley Junior School, but there would be a distance in excess of 18m and there are other properties backing onto the grounds of the school which also have first floor windows overlooking the school premises.
- 11.8 The first floor windows on the front elevation which serve a bathroom and an ensuite would look towards 18A High Ridge Crescent, there would be a distance of over 22m between these two properties, and any views would be of the frontage which forms part of the public street scene. 18A High Ridge Crescent has windows at ground and first floor level, taking into account the distance between the two dwellings and the use of the rooms the relationship is considered to be acceptable
- 11.9 Views over the rear garden of 20 High Ridge Crescent could also be potentially possible, but again taking into account the distances this would

not create an unacceptable level of overlooking to the occupiers of this neighbouring property.

- 11.10 No 39 High Ridge Crescent is to the north of the application site, but the extended dwelling would not be projecting significantly to the rear and as such would not be an overbearing form of development to this neighbour, nor result in a significant loss of light or overshadowing. This property has a solar panel on the side elevation of the bungalow facing the application site. The impact on a solar panel is a material planning consideration, accordingly shadow plans have been submitted by the agent and these indicate that the solar panel would not be overshadowed and therefore should not reduce the benefits of this installation to the occupiers of 39.
- 11.11 No 43 High Ridge Crescent is a two storey house to the south of the application site, and by virtue of the orientation the extended dwelling would not create issues of overshadowing or loss of light to this neighbouring property. The proposed roof alterations would result in the extended dwelling being more visible to the occupants of 43 High Ridge Crescent, and even though the height of the dwelling would be increasing it would still be lower than no 43. Taking into account the relationship between the two properties, the extensions should not result in an overbearing form of development to this neighbour
- 11.12 The proposed development would not create an unacceptable level of harm to the amenities of the neighbouring properties.

Parking

- 11.13 The existing dwelling has 2 bedrooms and therefore under our current Parking SPD should have the provision of 2 parking spaces. There is currently a garage and one parking space provided on site. Like many properties of its age the garage is slightly smaller than now required.
- 11.14 The extended dwelling is shown as having 4 bedrooms, and therefore 3 parking spaces are required to be provided on site. The existing garage would be retained, an additional parking space could be created on the driveway, without necessarily requiring the benefit of planning permission, Furthermore, there are no parking restrictions on the road, so on road parking could not be resisted. The road is a reasonable width for 2 cars to pass and if parked cars in this road form an obstruction this would be a matter for the police.

Other issues raised in the objections

- 11.15 The potential use of the extended property has been questioned as to whether it would be residential or commercial. The application has been submitted as a householder application, and the accommodation shown is for a residential property. At this stage there is no suggestion that the property is to be used for commercial purposes, and this has not been a consideration in the assessment of this application. If it was to be used for commercial purposes, this may require the benefit of a further planning application and the merits of the change of use would be considered at that stage.
- 11.16 There is civil legislation in the form of the Party Wall Act, which protects neighbouring properties from the impact of building works.

12 CONCLUSION ON THE PLANNING BALANCE

12.1 Consideration has been given to all comments received on this application, but for the reasons given above it is considered that the proposed development accords with the local development plan for New Forest District and the Government advice contained within the National Planning Policy Framework (2019). The other material considerations, including the emerging Local Plan, do not indicate otherwise, they confirm the indication given by the development plan, namely that planning permission should be granted. Therefore, conditional permission is recommended.

13 OTHER CONSIDERATIONS

Crime and Disorder

Not applicable

Local Finance

Based on the information provided at the time of this report this development has a CIL liability of £11,154.46.

Regulation 42 of the CIL Regulations 2010 (as amended) states that CIL will be applicable to all applications over 100sqm GIA and those that create a new dwelling. Whilst the development is over 100sqm GIA under Regulation 42A developments within the curtilage of the principal residence and comprises up to one dwelling are exempt from CIL. As a result, no CIL will be payable provided the applicant submits the required exemption form.

Human Rights

In coming to this recommendation, consideration has been given to the rights set out in Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to peaceful enjoyment of possessions) of the European Convention on Human Rights. Whilst it is recognised that there may be an interference with these rights and the rights of other third parties, such interference has to be balanced with the like rights of the applicant to develop the land in the way proposed. In this case it is considered that the protection of the rights and freedoms of the applicant outweigh any possible interference that may result to any third party.

Equality

The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty *inter alia* when determining all planning applications. In particular the Committee must pay due regard to the need to:

- (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- (2) advance equality of opportunity between persons who share a relevant

- protected characteristic and persons who do not share it; and
(3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

14. RECOMMENDATION

Grant Subject to Conditions

Proposed Conditions:

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. The development permitted shall be carried out in accordance with the following approved plans: R101 Rev A, R100 Rev A

Reason: To ensure satisfactory provision of the development.
3. The external facing materials shall match those used on the existing building.

Reason: To ensure an acceptable appearance of the building in accordance with policy CS2 of the Local Plan for the New Forest District outside the National Park Core Strategy.
4. During any (site clearance, removal of floor slab and) foundation excavations a suitably qualified contaminated land consultant shall carry out a **watching brief** with regards to asbestos, hydrocarbons and any other ground contamination. In the event that contamination is found at any time when carrying out the approved development, it must be reported in writing immediately to the Local Planning Authority.

Reason: The site is within the vicinity of a previous sand and gravel pit that has been infilled with unknown material. To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled water, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy CS5 of the Local Plan for the New Forest District Council outside the National Park (Core Strategy) and Policy DM5 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

Notes for inclusion on certificate:

1. In accordance with paragraph 38 of the National Planning Policy Framework

and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants.

In this case all the above apply and the application was acceptable as submitted. However, this application was subject to an extension of time to allow it to be referred to Planning Committee.

2. This decision also relates to an amended plan received by the Local Planning Authority on 29 July 2019

Further Information:

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PLANNING COMMITTEE

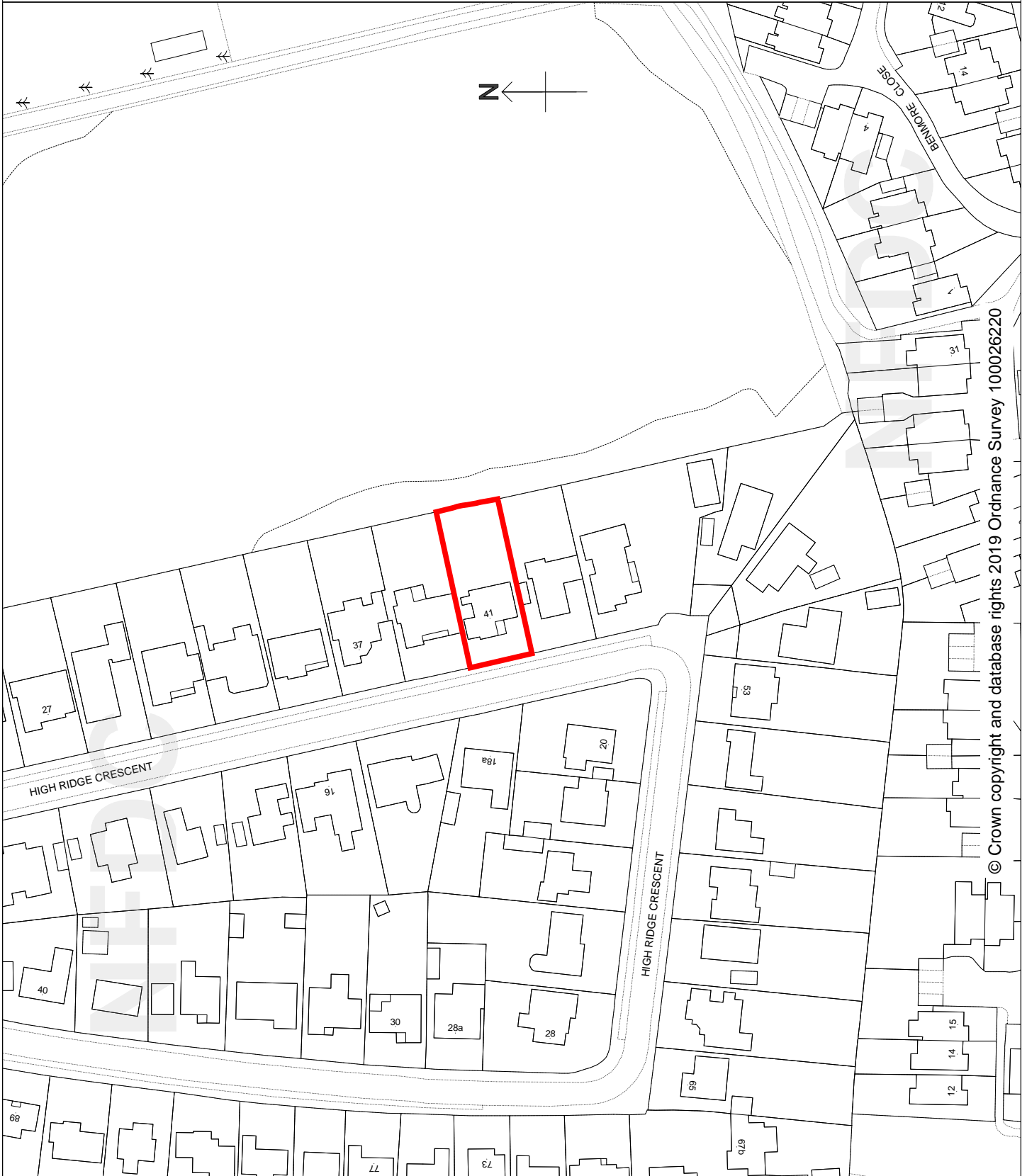
August 2019

Item No: 3b

41 High Ridge Crescent
Ashley
New Milton
19/10661

Scale 1:1250

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scale.



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Application Number: 18/11690 Full Planning Permission

Site: CLUB HOUSE, NEW FOREST WATER PARK, RINGWOOD ROAD, FORDINGBRIDGE SP6 2EY

Development: Three-storey extension; extend side dormers; balcony; rooflights; garage/store

Applicant: Mr Jury

Target Date: 08/03/2019

Extension Date: 12/04/2019

Link to case file: [view online here](#)

1 SUMMARY OF THE MAIN ISSUES

- 1.1 The following are considered to be the main issues to be taken into account when determining this application. These, and all other relevant considerations, are set out and considered in Section 11 of this report after which a conclusion on the planning balance is reached.
- 1) Principle of residential development in the countryside including sustainability of the proposal
 - 2) Design considerations
- 1.2 This matter was considered by the Committee at the June Committee. Members resolved to defer consideration of the application to seek further information to clarify with the applicant exactly how the additional accommodation was being used.
- 1.3 The previous report presented to Members has now been updated it includes comments made by the planning consultant acting on behalf of the applicant. These comments were made prior to the June Committee meeting and were reported as late correspondence. An assessment of those comments is included below. The applicant's agent has now made further comments responding to the deferral and a summary of those comments and assessment is made below and a set of amended plans has also now been received.

The amended plans identify a use for each area of the building and have been submitted to give members a better perspective of the building. In the letter that accompanies the plans the agent has stated that there was never a danger of going against the 30% policy. This is for the simple reasons that there is not an existing dwelling which can be recognised as such and that there can be no baseline for the measurement on which the policy relies. The origins of there being some residential use made of this building stems from the granting of planning permission for the Clubhouse to be extended in a way that specifically allowed the owner/managers family to live in the building. The agent's position is that there is one planning unit i.e the Clubhouse that includes residential living accommodation. The agent in his further letter goes on to reflect on why there is seen to be a policy need to have a specific limit on the amount of residential accommodation in the countryside.

The agent goes on to say that the policy restriction in question is rooted only

in the need to control the cumulative effect of what would be an unknown quantity of similar proposals for extending existing dwellings generally. He states *to approve this proposal could not ever be seen to assess that cumulative effect as the additional living accommodation would be a factor unique to this site and can be taken entirely on its own merits.*

The agent's points are noted and have been considered in the context of the current application. Your officers remain of the view that the grant of planning permission for the manager's accommodation created a residential use in the form of accommodation that could be used as a self-contained unit of accommodation and what is proposed in this application is an extension of this residential accommodation. It is therefore necessary to consider the proposed increase in residential accommodation against Policy DM20.

Amended plans have been received that show the following changes to the earlier plans

- Proposed kitchen/family room now shown as kitchen/meeting room
- Proposed bedroom 4 now shown as office
- Proposed residential garage/store now shown as store
- As existing plans also changed to show lounge now shown as lounge/meeting room, bedroom 2 now shown as office and hall now shown as office

2 THE SITE

- 2.1 The New Forest Water Park is situated at Hucklesbrook Lakes in the open countryside, and comprises a collection of three lakes on the west side of the A338 Ringwood to Fordingbridge Road, between this highway and the River Avon. The Water Park specifically occupies the two northern lakes. The southern lake is used for fishing and is in separate ownership. The northern lake is now used for water sports whilst the middle lake is used for fishing purposes. The lakes were formed over 20 years ago from old gravel extraction pits, and they are surrounded by banks of maturing deciduous vegetation. There is an existing clubhouse building adjacent to the north-western corner of the northern lake (referred to as the main site). The land to the west of the lakes is within the Avon valley flood plain and is a designated Site of Special Scientific Interest (SSSI) and Special Protection Area (SPA).
- 2.2 Since their formation in the early 1990s, the lakes have been used for water based recreation. The original 1990 planning permission restricted noise generating water based activities (water skiing and jet skiing) to just the northernmost lake. A subsequent application in 1995 permitted the middle lake to be used for jet skiing providing that jet skiing on the middle lake does not take place at the same time as upon the northern lake. This 1995 permission also precluded jet skiing taking place on the western part of the middle lake, primarily for nature conservation reasons. At present the Water Park is only open from Easter to early November.
- 2.3 The main site has a collection of buildings as follows
- A large two/three storey building including manager's accommodation on first and second floor with changing rooms, commercial storage, boat shed, lockers, workshop, kit store and shop on the ground floor. This building includes a customer reception, bar, commercial kitchen, eating facilities, toilets, and family room on the first floor. This building also has a large outdoor amenity area for customers overlooking the

northern lake.

- Within the grounds of the main site are a collection of three mobile homes used for staff accommodation, as well as another building which includes a residential flat, and another large garage/storage building with what appears to be residential accommodation on the first floor. One static caravan is used by the site caretaker and this together with the other two caravans are either immune from enforcement action or are occupied as seasonal staff accommodation considered at the time as not needing planning permission. A residential flat created in one of the outbuildings has become immune over the passage of time.
- The main site is served by its own access road and large customer car park.

2.4 The current site manager accommodation floorspace comprises a lounge, bathroom, 2 offices, and 3 no. bedrooms with one en-suite on the second floor. The accommodation is arranged over two floors and is in line with permission 53713 noted above granted in March 1994. The accommodation has an internal floorspace excluding any stairwell of 110 square metres (1184 square feet). There is no kitchen in the current accommodation, at the June Committee the applicant advised the Committee that the kitchen in the Clubhouse was used as the kitchen for the manager.

3 THE PROPOSED DEVELOPMENT

3.1 The proposal is to extend the existing manager's accommodation at the rear of the clubhouse to provide improvements to bedroom accommodation and kitchen facilities, as well as a further en-suite facility to one of the bedrooms. The existing clubhouse has its own kitchen facility and this is at present also being used by the manager for their own personal needs. The number of bedrooms on the plans that were originally submitted showed 4 bedrooms the amended plans that have been submitted show one of the bedrooms as a second office.

3.2 The plans indicate a building clad in brick and timber under a slated roof to match the existing. The new extension would extend the building by 5 metres in length. The existing single dormer window on each elevation will be subsumed into a new triple dormer on each side elevation. A new balcony area with an extended roof over will be formed at 2nd floor level.

3.3 The extended floorspace over two floors measures some 66 square metres (710 square feet). This would if permitted result in manager's accommodation of some 174 square metres (1894 square feet). This equates to a 60% increase in the accommodation floorspace. This does not include the large new domestic garage/store at ground level which measures an additional 43 square metres (462 square feet).

3.4 The plans as submitted also are inaccurate in a number of areas particularly in relation to the labelling of rooms within the building and some minor elevational details which do not tie up with floor plans. These points have been made to the applicant but with no corrected plans submitted.

3.5 This application has been submitted without the benefit of any pre application advice.

4 PLANNING HISTORY AND NOTES OF AN PRE APPLICATION DISCUSSIONS

- 4.1 **18/11130** - Clubhouse and additional accommodation for fishery manager -refused 09/01/19 (middle lake - Committee report January 2019 refers)
- This refusal is now the subject of an appeal
- 4.2 **16/10025** - Clubhouse with additional use for fishery manager accommodation refused 13/03/16 – appeal dismissed 19/01/17 (middle lake)
- 4.3 **15/11649** – Single storey extension to clubhouse with balcony over – approved 28/01/16 (main site)
- 4.4 **13/10191** - Clubhouse - granted 13/05/13 (middle lake)
- 4.5 **10/96273** - Clubhouse - granted outline planning permission 1/06/11 (middle lake)
- 4.6 **99/67058** – Garage/store building – approved 24/09/99 (main site - limited use by condition)
- 4.7 **57062** - Vary Condition 9 on 41232 (jet & water skiing use) – granted 09/08/95
- 4.8 **53713** – 1st floor addition with rooms in roof to form owner’s accommodation – approved 09/03/94 (main site)
- 4.9 **52288** - Vary Condition 9 on 41232 to allow jet skiing - granted 14/7/93
- 4.10 **51715** – 1st floor addition to clubhouse to form owner’s accommodation – approved 04/01/94 (main site - approved subject to supplemental S106 restricting occupation of flat)
- 4.11 **44205** – Erect two storey water sports clubhouse, parking and landscaping – approved 04/03/91 (Reserved Matters) (main site on northern lake)
- 4.12 **41232** – Change of use of former gravel pits to water based recreation and erection of clubhouse - granted 13/12/90 (Parent outline permission) (main site on northern lake – approved subject to S106 agreement on use of lakes)
- 4.13 The applicant did not enter into any pre application discussions with the Council prior to the submission of the current application.

5 THE DEVELOPMENT PLAN AND OTHER NFDC GUIDANCE

The Core Strategy

- CS1 – Sustainable development principle
- CS2: Design quality
- CS3: Protecting and enhancing our special environment (Heritage Nature Conservation)
- CS6: Flood risk
- CS10: The spatial strategy
- CS19; Tourism
- CS24: Transport considerations

Local Plan Part 2 Sites and Development Management Development Plan Document

NPPF1 - presumption in favour of sustainable development
DM2: Nature conservation, biodiversity and geodiversity
Dm13 Tourism and visitor facilities
DM20 Residential accommodation in the countryside

The Emerging Local Plan

The National Planning Policy Framework 2019 states:

Para 47. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.

Para 48. Local planning authorities may give weight to relevant policies in emerging plans according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

Advice on Emerging Development Plan Documents

The Local Plan Review 2016-2036 is in what can be considered an 'advanced stage' in its preparation, in that it has been submitted to the Secretary of State and is under Examination. It is therefore a material consideration which can be given weight in decision-making.

The following extracts from the Emerging Local Plan are considered to be material considerations in this case.

Key issue 10

The rural economy and tourism - how can the Local Plan encourage sustainable rural enterprise and tourism that will benefit the local economy without harming the environmental and landscape qualities of the area.

Strategic Objective SO8

Sets out support for the rural economy including tourism in ways compatible with and environmental and landscape objectives.

Policy 1 Achieving sustainable development

Directing development to within settlement boundaries with new residential development located in sustainable locations

Policy 3 Strategy for locating new development

To locate new development to accessible locations. Countryside development

generally restricted unless policy 28 supports it.

Policy 28 Rural Economy (saved policy CS21 from current plan)

- d) support local business development through the conversion of existing buildings
- g) allow developments essential to support a rural workforce, including agricultural workers dwellings and rural community facilities.

6 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Relevant Legislation

Planning and Compulsory Purchase Act 2004

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise

Relevant Advice

National Planning Policy Framework 2019

Section 2 - Achieving sustainable development

Paras 77-79 - Housing in rural areas and sustainability

Section 6 - Supporting a prosperous rural economy

Section 12 - Achieving well designed places

7 PARISH / TOWN COUNCIL COMMENTS

Fordingbridge Town Council: recommend that permission is granted under PAR3 as there is a benefit for local jobs and the economy. Fordingbridge Town Council recommend the enhanced accommodation should be tied to use by staff.

8 COUNCILLOR COMMENTS

None received.

9 CONSULTEE COMMENTS

9.1 Natural England

No objection subject to mitigation and relevant conditions. Their comment in relation to the previous application also apply to this application as follows:

Response to 18/11130 - Note the site lies immediately adjacent to the Avon Valley Special Protection Area (SPA) and Ramsar and in close proximity to the New Forest SPA, Ramsar and Special Area of Conservation. Natural England are satisfied with the Council's mitigation strategy and Habitat Regulations Assessment.

On other matters Natural England notes the presence of an one SSSI

adjacent to the site but is satisfied that the development will not be harmful provided a condition is imposed regarding any percussive piling operations. Natural England recommend that due regard is also taken in respect of biodiversity net gain and advice set out as well as Standing Advice dealing with protected species.

9.2 Environmental Health: no concerns

10 REPRESENTATIONS RECEIVED

One letter has been received from a planning consultant acting on behalf of the applicant who makes the following points in summary;

1. Emphasises the importance of the site as a recreational venue.
2. Considers there was a need for a clubhouse and other facilities to support the use
3. Approved plans showed living accommodation followed by another permission for an extension to that accommodation
4. Manager accommodations not a separate dwelling so Policy DM20 is not relevant
5. Site as a whole is a single planning unit with a S106 Agreement restricting the residential accommodation element. Envisaged that accommodation would be for manager and family
6. Confirms that children have now grown up and are paid managers in their own right
7. Extended family wish to stay together under one roof and need more space but purpose of building remain the same
8. Two planning issues are impact of building and if it complies with local policy
9. Considers design is acceptable and blends well with existing building
10. Site is in the countryside and is a tourist facility with policy DM13 on tourism and visitor facilities more relevant. Requires development to be appropriate in design and scale and in keeping with the rural character with no significant harmful impacts. Considers proposal complies with this policy
11. Also considers that development complies with policy CS3 and CS5
12. Report refers to flat above garage is incorrect
13. Floorplans are not considered to be inaccurate as stated.
Accommodation has a degree of being interchangeable with other functions of the building
14. Using DM29 is the wrong approach. No original size accommodation and this was never intended DM20 is used to control the size of dwellings in the countryside as part of a housing stock
15. Considers that extension does not need to be justified as stated
16. No impact on wider landscape is acknowledged only impact is on applicant's view of the site
17. Building is for accommodation for a recreational use with no impact on the public

11 OFFICER COMMENTS

11.1 Introduction

11.1.1 The key issues with this application are the principle of development for such residential development in the countryside taking into account sustainability issues; and the design issues of the new extension together with its local impact. The applicants planning consultant also refers to policy DM13 and consideration of this is included in the report.

11.2 Relevant Considerations

Principle of development and sustainability

a) Policy considerations

11.2.1 The 2019 NPPF sets out the following advice regarding development in rural areas.

Section 2. Achieving sustainable development with regard to economic, social and environmental objectives with a presumption in favour of sustainable development.

Paras 77-79 Encourage housing in rural areas to be responsive to local need, reflecting sustainability and to avoid isolated homes unless there is an essential need for a rural worker to live permanently at or near their place of work in the countryside

Section 6 Supporting a prosperous rural economy encourages sustainable growth and expansion of all types of business in rural areas both through conversion of existing buildings and well-designed new buildings; and sustainable rural tourism and leisure developments which respect the character of the countryside.

11.2.2 With regard to the principle of development the site is in the countryside where normal policies of restraint on development apply. DM20 allows for residential accommodation in the countryside in certain circumstances such as for agricultural, affordable housing, replacement dwelling or the limited extension of an existing dwelling. The policy is set out below.

Policy DM20: Residential development in the countryside will only be permitted where it is:

- a) a limited extension to an existing dwelling; or*
- b) the replacement of an existing dwelling, except where it:
 - (i) is the result of a temporary permission(s); and/or*
 - (ii) is an unauthorised use; and/or*
 - (iii) it has been abandoned; or**
- c) affordable housing to meet a local need, in accordance with Core Strategy Policy CS22; or*
- d) an agricultural worker's or forestry worker's dwelling in accordance with Policy DM21.*

In all cases, development should be of an appropriate design, scale and appearance in keeping with the rural character of the area, and should not be harmful to the rural character of the area by reason of traffic and other activity generated or other impacts.

Replacement dwellings and dwelling extensions should not normally provide for an increase in floorspace of more than 30%. A dwelling may be permitted to exceed the 30% limit provided the increased floorspace will not result in a dwelling in excess of 100 sq. metres floorspace. In all

cases proposals should be designed to respect the character and scale of the existing dwelling, and not significantly alter the impact of built development on the site within its setting.

The 30% limit is applied as a limit to all cumulative extensions since 1 July 1982. In exceptional circumstances, a larger extension may be permitted to:

- (i) meet the genuine family needs of an occupier who works in the immediate locality; or*
- (ii) meet the design considerations relating to the special character of the building e.g. listed buildings.*

11.2.3 Officers consider that the proposal as now presented represents a substantial 60% increase in the existing manager accommodation without any submitted justification. Design issues are dealt with below but it is clear from the above that the proposal does not comply with the relevant development plan policy. Whilst it is noted that the manager's flat does not currently have its own dedicated kitchen this could be provided by re-jigging the available floorspace without needing an extension.

11.2.4 The applicant at the June Committee meeting made comment that the accommodation is used flexibly for both residential and commercial purposes. The accommodation is set out as residential accommodation and whilst the existing plans have now been amended to label a second room for office use this floorspace is residential floorspace. In planning terms this accommodation was considered to be a dwelling under the relevant planning permission and was conditioned to only be residential accommodation for the manager/owner of the Waterpark and their dependants. The reason why it was necessary to have such a condition is that without this condition planning permission for a new dwelling in the countryside would not have been granted. To further strengthen the position there was a Section 106 Agreement which specifically restricted the residential accommodation to occupation by the owner or manager of the Waterpark as it was considered to be capable of being a standalone dwelling. The purpose of the agreement was to prevent any separation of this dwelling by selling off. The original permission showed a kitchen within the accommodation. Based on the details and intent of the original permission and Section 106 Agreement your officers consider this accommodation to be residential and therefore do not support the agent's position with regard to the relevance of Policy DM20.

The agent has suggested that DM13 Tourism and Visitor facilities is the relevant Policy as what is being proposed is an extension of the Clubhouse which is a tourism and visitor facility. This position is not supported by your officers for the reasons set out above.

Policy DM13 and CS19 seeks to support existing tourism operations and to allow for sensitive improvements but stress the importance particularly in the countryside of ensuring any new development is appropriate and sensitive to environmental considerations. The policy makes no reference to residential accommodation being provided as part of that tourism venture.

In this case the development of a water based recreational facility when originally granted had no manager accommodation within the building. Indeed the original plans showed a large restaurant instead. That idea was later changed in favour of a dedicated area of floorspace to be clearly set aside for manager accommodation. As already set out the permission was subject to restrictions on the residential accommodation.

The planning consultant contends that the whole building forms one planning unit and the interior can be used for whatever purpose necessary in connection with the leisure based use. This position is not supported by your officers for the reasons set out above.

b) Occupation of manager accommodation

11.2.4 The Town Council recommend permission is granted to the application provided that the unit as enlarged is tied by condition to staff. Officers would agree that there is a need to do so in an open countryside location such as this.

11.2.5 Members are also asked to note the current quantum of available residential and staff accommodation on the site. It is clear that there is a substantial amount of current accommodation. The justification for such a large increase in floorspace to the manager's maisonette accommodation is therefore questionable.

11.2.6 These points have been addressed to the applicant but no further justification has been provided at the time of writing this report.

11.2.7 . The original permission granted in January 1994 was for accommodation only at first floor level and was tied by a supplemental S106 agreement added to the original agreement signed under the original outline permission. The agreement tied the accommodation to the manager of the site and any dependants **or** [my emphasis] such person employed (and their partner and dependants) by the owner. That permission however was not implemented and was supplanted by the later permission referred to above which was not subject to any S106 agreement. It is clear that it was the later permission that was built not the earlier.

11.2.8 Both permissions had a planning condition applied which reads as follows -

"The residential accommodation hereby approved shall only be used by the owner/manager of the New Forest Water Park and their dependents whilst it is in operation

Reason – The site lies in an area where additional units of residential accommodation are not normally permitted"

The latest comments and amended plans now submitted do not change the size of the extension proposed. They relabel the use of rooms but do not change the self contained nature of the accommodation.

11.2.9 With regard to application 99/67058 (Garage/store building – approved 24/09/99 - main site - limited use by condition), this appears to have accommodation within it. This matter has been referred to the applicant for clarification. He states through his planning consultant that this is incorrect but he does not specially confirm what the building is used for.

c) Sustainability issues

11.2.10 With regard to the overall sustainability of the proposal it appears that there are a number of family units now residing at the site. It has always been recognised that there is a need for an on-site manager presence but in reality this now exceeds that essential requirement recognised in both local and national guidance. There appears no essential need for a

significant large extension of the manager accommodation to allow two family units to occupy the building. The site does not lie in a sustainable location and any occupiers will need to travel to access essential services. Whilst it may be more convenient for the second family unit to occupy the site where they work it is not essential they do so. In addition to the applicant who is the original Director of the business who lives on site there is also a live in caretaker on site and other seasonal staff through the open period for the water park. 11.2.14 In this regard it is considered that the first reason for refusal needs to reflect the principles of sustainable development as set out in the NPPF and local policy.

Design Considerations

11.2.11 The 2019 NPPF sets out the following design advice

Section 12 Achieving well designed places encourages high quality buildings and places and good design is a key aspect of sustainable development. Planning decisions should ensure developments are inter alia visually attractive and sympathetic to local character. Para 130 states that permission should be refused for development of poor design

11.2.12 Policy CS2 of the Core Strategy states the following -

New development will be required to be well designed to respect the character, identity, and context of the area's towns, villages and countryside. All new development will be required to contribute positively to local distinctiveness and sense of place, being appropriate and sympathetic to its setting in terms of scale, height, density, layout, appearance, materials, and its relationship to adjoining buildings and landscape features, and shall not cause unacceptable effects by reason of visual intrusion, overlooking, shading, noise, light pollution or other adverse impact on local character and amenities.

11.2.13 The current proposal is visible from the car park and its position towards the rear of the site should not be used to allow poor design. The plans indicate a large bulky extension which will considerably increase the mass of the building. The extension will unbalance this side elevation view and when combined with the inappropriate roof feature of a triple dormer on two elevations is considered to be poor design inconsistent with policy. The site does benefit from a backdrop of trees and so in the wider landscape context there will be no harmful impact. Whilst the impact on local character and appearance is therefore limited to that closer to the building this in itself should not be used as a reason to support poor design which degrades the local environment.

11.2.14 Concerns have been initially expressed to the applicant regarding the triple dormers but no substantive response has been received. On further reflection officers consider that the overall mass and bulk of the extension is not acceptable and consequently that design objections should be raised.

12 CONCLUSION ON THE PLANNING BALANCE

12.1 The applicants have applied for a large extension to an existing manager accommodation unit in the open countryside. The proposed building is considered harmful in design terms. The proposed building will continue

the likely accommodation of a further family unit which is not considered to be sustainable.. It is considered that the business is already well catered for by on site staff and there is no essential need for new accommodation floorspace.

- 12.2 This application raises issues relating to the principle of further residential and built development in the countryside which in all cases should be properly justified. The site already benefits from a considerable amount of staff and manager accommodation and there is no overriding reason for allowing a substantial further increase in the manager's accommodation. Secondly, the mass and bulk of the extension with its detailing exhibits poor design quality contrary to stated policies.
- 12.3 The proposal has been the subject of a recommendation of approval by the Town Council. The comments they make in support of this rural business are worthy of support if there was no current staff or manager accommodation.
- 12.4 It is considered given the harmful impact of the development the balance in this case should be to refuse the application.

13 OTHER CONSIDERATIONS

Proactive working statement

- 13.1 In accordance with paragraph 38 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants.
- 13.2 In this case all the above apply. The applicant did not avail himself of the Council's pre application advice service. The Council has sought further justification for the proposal as well as further consideration of design matters but this has not resulted in any information forthcoming from the applicant to set aside the reasons for refusal as set out.

Local Finance

- 13.3 Local finance considerations are not relevant to this application

Human Rights

- 13.4 In coming to this recommendation, consideration has been given to the rights set out in Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to peaceful enjoyment of possessions) of the European Convention on Human Rights. Whilst it is recognised that this recommendation, if agreed, may interfere with the rights and freedoms of the applicant to develop the land in the way proposed, the objections to the planning application are serious ones and cannot be overcome by the imposition of conditions. The public interest can only be safeguarded by the refusal of permission.

Equality

13.5 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty *inter alia* when determining all planning applications. In particular the Committee must pay due regard to the need to:

- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

14 RECOMMENDATION

Refuse

Reason(s) for Refusal:

1. The proposal is for a 60% floorspace increase to an existing manager's accommodation unit within this rural business based in the open countryside. Special consideration of any residential accommodation in the countryside is required to ensure that any development is sustainable as required by the National Planning Policy Framework 2019 (NPPF), Core Strategy policy CS1, and Local Plan part 2 policy NPPF1 and DM20. In this case the site already benefits from a significant amount of staff and manager accommodation and it is considered that there is no overriding justification or essential need to support such a large percentage increase in accommodation at this site. Occupation of the manager accommodation by a second family unit is not considered to constitute sustainable development
2. The proposal by virtue of its size, design, bulk and mass is considered to represent poor design that detracts from the character and appearance of the existing building and the rural character of the area, inconsistent with NPPF section 12, policy CS2 of the New Forest Core Strategy and Policy DM20 of the New Forest Local Plan part 2, which 'inter alia' requires development proposals to be well designed and to contribute positively to local distinctiveness and sense of place, and the rural character of the area.

Notes for inclusion on certificate:

1. In accordance with paragraph 38 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants.

In this case all the above apply. The applicant did not avail himself of the Council's pre application advice service. The Council has sought further justification for the proposal as well as further consideration of design matters but this has not resulted in any information forthcoming from the applicant to set aside the reasons for refusal as set out.

2. The proposal by virtue of its size, design, bulk and mass is considered to represent poor design that detracts from the character and appearance of the existing building and the rural character of the area, inconsistent with NPPF section 12, policy CS2 of the New Forest Core Strategy and Policy DM20 of the New Forest Local Plan part 2, which 'inter alia' requires development proposals to be well designed and to contribute positively to local distinctiveness and sense of place, and the rural character of the area.

Further Information:

Stephen Belli

Telephone: 023 8028 5588



PLANNING COMMITTEE

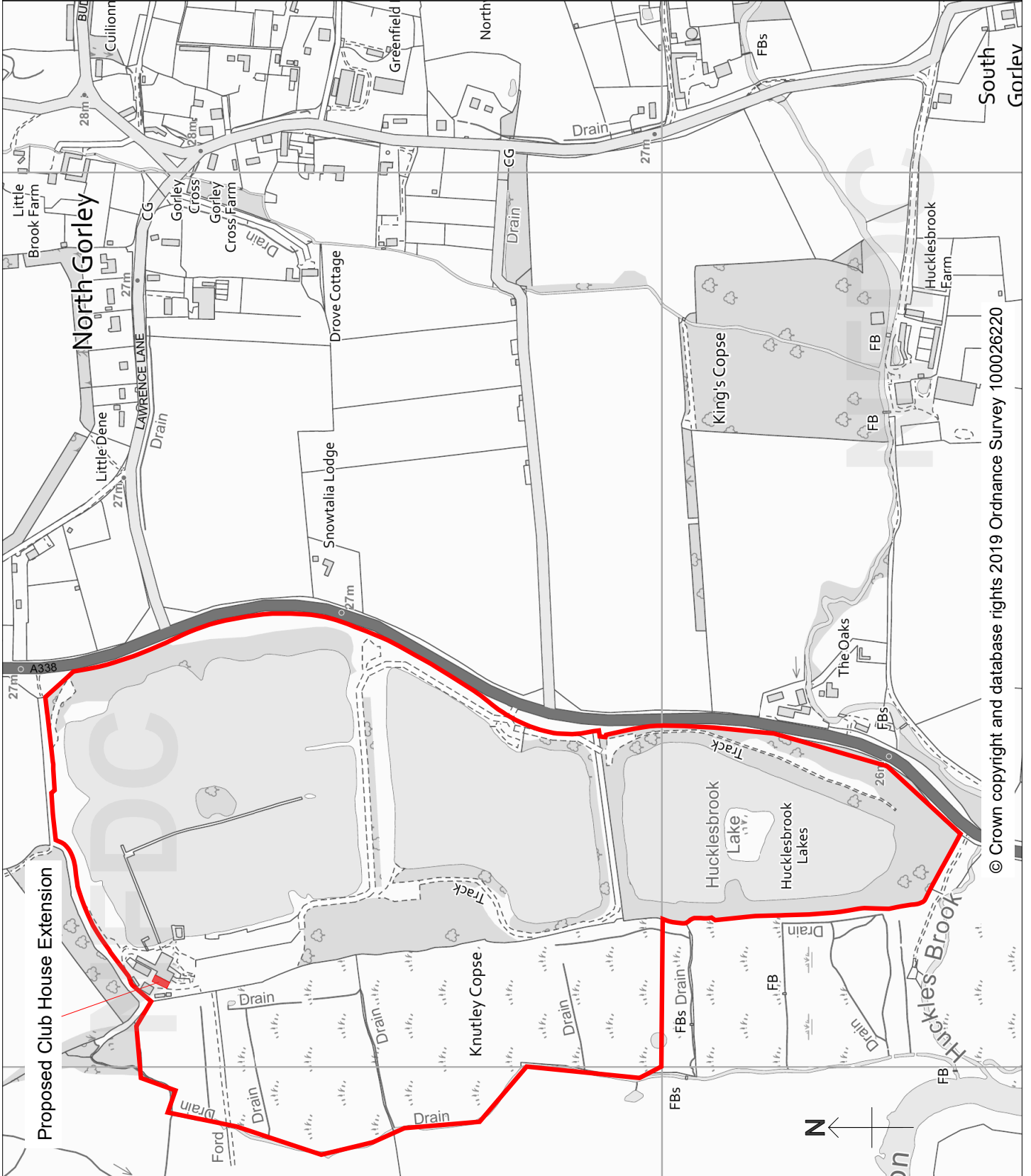
June 2019

Item No: 3c

Club House
New Forest Water Park
Fordingbridge
18/11690

Scale 1:6000

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



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Application Number: 18/11690 Full Planning Permission

Site: CLUB HOUSE, NEW FOREST WATER PARK, RINGWOOD ROAD, FORDINGBRIDGE SP6 2EY

Development: Three-storey extension; extend side dormers; balcony; rooflights; garage/store

Applicant: Mr Jury

Target Date: 08/03/2019

Extension Date: 12/04/2019

Link to case file <http://www.newforest.gov.uk/article/13702/How-do-I-view-and-comment-on-a-planning-application-or-appeal>

1 SUMMARY OF THE MAIN ISSUES

- 1.1 The following are considered to be the main issues to be taken into account when determining this application. These, and all other relevant considerations, are set out and considered in Section 11 of this report after which a conclusion on the planning balance is reached.
- 1) Principle of residential development in the countryside including sustainability of the proposal
 - 2) Design considerations
- 1.2 This matter is before Committee as the application was reported to the April Planning Committee at which time Members resolved to defer consideration following a request from the applicant who was not able to attend. The applicant wished to provide updated information setting out a justification and background information relating to the business use.
- 1.3 The previous report presented to Members is appended.

2 THE SITE

- 2.1 The New Forest Water Park is situated at Hucklesbrook Lakes in the open countryside, and comprises a collection of three lakes on the west side of the A338 Ringwood to Fordingbridge Road, between this highway and the River Avon. The Water Park specifically occupies the two northern lakes. The southern lake is used for fishing and is in separate ownership. The northern lake is now used for water sports whilst the middle lake is used for fishing purposes. The lakes were formed over 20 years ago from old gravel extraction pits, and they are surrounded by banks of maturing deciduous vegetation. There is an existing clubhouse building adjacent to the north-western corner of the northern lake (referred to as the main site). The land to the west of the lakes is within the Avon valley flood plain and is a designated Site of Special Scientific Interest (SSSI) and Special Protection Area (SPA).

- 2.2 Since their formation in the early 1990s, the lakes have been used for water based recreation. The original 1990 planning permission restricted noise generating water based activities (water skiing and jet skiing) to just the northernmost lake. A subsequent application in 1995 permitted the middle lake to be used for jet skiing providing that jet skiing on the middle lake does not take place at the same time as upon the northern lake. This 1995 permission also precluded jet skiing taking place on the western part of the middle lake, primarily for nature conservation reasons. At present the Water Park is only open from Easter to early November.
- 2.3 The main site has a collection of buildings as follows
- A large two/three storey building including manager's accommodation on first and second floor with changing rooms, commercial storage, boat shed, lockers, workshop, kit store and shop on the ground floor. This building includes a customer reception, bar, commercial kitchen, eating facilities, toilets, and family room on the first floor. This building also has a large outdoor amenity area for customers overlooking the northern lake.
 - Within the grounds of the main site are a collection of three mobile homes used for staff accommodation, as well as another building which includes a residential flat, and another large garage/storage building with residential accommodation on the first floor. One static caravan is used by the site caretaker and this together with the other two caravans are either immune from enforcement action or are occupied as seasonal staff accommodation considered at the time as not needing planning permission. A residential flat created in one of the outbuildings has become immune over the passage of time. The flat above the garage and store building is also occupied and it is not clear if there is a planning permission for this residential unit.
 - The main site is served by its own access road and large customer car park.
- 2.4 The current site manager accommodation floorspace comprises a lounge, bathroom, study, and 4 no. bedrooms with one en-suite on the second floor. The accommodation is arranged over two floors and is in line with permission 53713 noted above granted in March 1994. The accommodation has an internal floorspace excluding any stairwell of 110 square metres (1184 square feet).

3 THE PROPOSED DEVELOPMENT

- 3.1 The proposal is to extend the existing manager's accommodation at the rear of the clubhouse to provide improvements to bedroom accommodation and kitchen facilities, as well as a further en-suite facility to one of the bedrooms. The existing clubhouse has its own kitchen facility and this is at present also being used by the manager for their own personal needs. The number of bedrooms overall stays at four.
- 3.2 The plans indicate a building clad in brick and timber under a slated roof to match the existing. The new extension would extend the building by 5 metres in length. The existing single dormer window on each elevation will be subsumed into a new triple dormer on each side elevation. A new balcony area with an extended roof over will be formed at 2nd floor level.

- 3.3 The extended floorspace over two floors measures some 66 square metres (710 square feet). This would if permitted result in manager's accommodation of some 174 square metres (1894 square feet). This equates to a 60% increase in the accommodation floorspace. This does not include the large new domestic garage/store at ground level which measures an additional 43 square metres (462 square feet).
- 3.4 The plans as submitted also are inaccurate in a number of areas particularly in relation to the labelling of rooms within the building and some minor elevational details which do not tie up with floor plans. These points have been made to the applicant but with no corrected plans submitted.
- 3.5 This application has been submitted without the benefit of any pre application advice.

4 PLANNING HISTORY AND NOTES OF AN PRE APPLICATION DISCUSSIONS

- 4.1 **18/11130** - Clubhouse and additional accommodation for fishery manager - refused 09/01/19 (middle lake - Committee report January 2019 refers)
- This refusal is now the subject of an appeal
- 4.2 **16/10025** - Clubhouse with additional use for fishery manager accommodation refused 13/03/16 – appeal dismissed 19/01/17 (middle lake)
- 4.3 **15/11649** – Single storey extension to clubhouse with balcony over – approved 28/01/16 (main site)
- 4.4 **13/10191** - Clubhouse - granted 13/05/13 (middle lake)
- 4.5 **10/96273** - Clubhouse - granted outline planning permission 1/06/11 (middle lake)
- 4.6 **99/67058** – Garage/store building – approved 24/09/99 (main site - limited use by condition)
- 4.7 **57062** - Vary Condition 9 on 41232 (jet & water skiing use) – granted 09/08/95
- 4.8 **53713** – 1st floor addition with rooms in roof to form owner's accommodation – approved 09/03/94 (main site)
- 4.9 **52288** - Vary Condition 9 on 41232 to allow jet skiing - granted 14/7/93
- 4.10 **51715** – 1st floor addition to clubhouse to form owner's accommodation – approved 04/01/94 (main site - approved subject to supplemental S106 restricting occupation of flat)
- 4.11 **44205** – Erect two storey water sports clubhouse, parking and landscaping – approved 04/03/91 (Reserved Matters) (main site on northern lake)
- 4.12 **41232** – Change of use of former gravel pits to water based recreation and erection of clubhouse - granted 13/12/90 (Parent outline permission) (main site on northern lake – approved subject to S106 agreement on use of lakes)

4.13 The applicant did not enter into any pre application discussions with the Council prior to the submission of the current application.

5 THE DEVELOPMENT PLAN AND OTHER NFDC GUIDANCE

The Core Strategy

CS1 – Sustainable development principle
CS2: Design quality
CS3: Protecting and enhancing our special environment (Heritage Nature Conservation)
CS6: Flood risk
CS10: The spatial strategy
CS24: Transport considerations

Local Plan Part 2 Sites and Development Management Development Plan Document

NPPF1 - presumption in favour of sustainable development
DM2: Nature conservation, biodiversity and geodiversity
DM20 Residential accommodation in the countryside

The Emerging Local Plan

The National Planning Policy Framework 2019 states:

Para 47. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.

Para 48. Local planning authorities may give weight to relevant policies in emerging plans according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

Advice on Emerging Development Plan Documents

The Local Plan Review 2016-2036 is in what can be considered an 'advanced stage' in its preparation, in that it has been submitted to the Secretary of State and is under Examination. It is therefore a material consideration which can be given weight in decision-making.

The following extracts from the Emerging Local Plan are considered to be material considerations in this case.

Key issue 10

The rural economy and tourism - how can the Local Plan encourage sustainable rural enterprise and tourism that will benefit the local economy without harming the environmental and landscape qualities of the area.

Strategic Objective SO8

Sets out support for the rural economy including tourism in ways compatible with and environmental and landscape objectives.

Policy 1 Achieving sustainable development

Directing development to within settlement boundaries with new residential development located in sustainable locations

Policy 3 Strategy for locating new development

To locate new development to accessible locations. Countryside development generally restricted unless policy 28 supports it.

Policy 28 Rural Economy (saved policy CS21 from current plan)

- d) support local business development through the conversion of existing buildings
- g) allow developments essential to support a rural workforce, including agricultural workers dwellings and rural community facilities.

6 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Relevant Legislation

Planning and Compulsory Purchase Act 2004

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise

Relevant Advice

National Planning Policy Framework 2019

Section 2 - Achieving sustainable development

Paras 77-79 - Housing in rural areas and sustainability

Section 6 - Supporting a prosperous rural economy

Section 12 - Achieving well designed places

7 PARISH / TOWN COUNCIL COMMENTS

Fordingbridge Town Council: recommend that permission is granted under PAR3 as there is a benefit for local jobs and the economy. Fordingbridge Town Council recommend the enhanced accommodation should be tied to use by staff.

8 COUNCILLOR COMMENTS

None received.

9 CONSULTEE COMMENTS

9.1 Natural England

No objection subject to mitigation and relevant conditions. Their comment in relation to the previous application also apply to this application as follows:

Response to 18/11130 - Note the site lies immediately adjacent to the Avon Valley Special Protection Area (SPA) and Ramsar and in close proximity to the New Forest SPA, Ramsar and Special Area of Conservation. Natural England are satisfied with the Council's mitigation strategy and Habitat Regulations Assessment.

On other matters Natural England notes the presence of an SSSI adjacent to the site but is satisfied that the development will not be harmful provided a condition is imposed regarding any percussive piling operations. Natural England recommend that due regard is also taken in respect of biodiversity net gain and advice set out as well as Standing Advice dealing with protected species.

9.2 Environmental Health

No concerns

10 REPRESENTATIONS RECEIVED

None received

11 OFFICER COMMENTS

11.1 Introduction

11.1.1 The key issues with this application are the principle of development for such residential development in the countryside taking into account sustainability issues; and the design issues of the new extension together with its local impact.

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Section 6 Supporting a prosperous rural economy encourages sustainable growth and expansion of all types of business in rural areas both through conversion of existing buildings and well-designed new buildings; and sustainable rural tourism and leisure developments which respect the character of the countryside.

11.2.2 With regard to the principle of development the site is in the countryside where normal policies of restraint on development apply. DM20 allows for residential accommodation in the countryside in certain circumstances such as for agricultural, affordable housing, replacement dwelling or the limited extension of an existing dwelling. The policy is set out below.

Policy DM20: Residential development in the countryside will only be permitted where it is:

- a) *a limited extension to an existing dwelling; or*
- b) *the replacement of an existing dwelling, except where it:*
 - (i) is the result of a temporary permission(s); and/or*
 - (ii) is an unauthorised use; and/or*
 - (iii) it has been abandoned; or*
- c) *affordable housing to meet a local need, in accordance with Core Strategy Policy CS22; or*
- d) *an agricultural worker's or forestry worker's dwelling in accordance with Policy DM21.*

In all cases, development should be of an appropriate design, scale and appearance in keeping with the rural character of the area, and should not be harmful to the rural character of the area by reason of traffic and other activity generated or other impacts.

Replacement dwellings and dwelling extensions should not normally provide for an increase in floorspace of more than 30%. A dwelling may be permitted to exceed the 30% limit provided the increased floorspace will not result in a dwelling in excess of 100 sq. metres floorspace. In all cases proposals should be designed to respect the character and scale of the existing dwelling, and not significantly alter the impact of built development on the site within its setting.

The 30% limit is applied as a limit to all cumulative extensions since 1 July 1982. In exceptional circumstances, a larger extension may be permitted to:

- (i) meet the genuine family needs of an occupier who works in the immediate locality; or*
- (ii) meet the design considerations relating to the special character of the building e.g. listed buildings.*

11.2.3 Officers consider that the proposal as now presented represents a substantial 60% increase in the existing manager accommodation without any submitted justification. Design issues are dealt with below but it is clear from the above that the proposal does not comply with the relevant development plan policy. Whilst it is noted that the flat does not currently have its own dedicated kitchen this could be provided by re-jigging the available floorspace without needing an extension.

b) Occupation of manager accommodation

- 11.2.4 The Town Council raise no objection to the application provided that the unit as enlarged is tied by condition to staff. Officers would agree that there is a need to do so in an open countryside location such as this.
- 11.2.5 Members are also asked to note the current quantum of available residential and staff accommodation on the site. It is clear that there is a substantial amount of current accommodation. The justification for such a large increase in floorspace to the manager's maisonette accommodation is therefore questionable.
- 11.2.6 These points have been addressed to the applicant but no further justification has been provided at the time of writing this report.
- 11.2.7 In addition the following matters have come to light in the processing and assessment of this application.
- 11.2.8 There are considered to be current issues relating to occupancy of the manager accommodation. The earlier permission granted in January 1994 was for accommodation only at first floor level and was tied by a supplemental S106 agreement added to the original agreement signed under the original outline permission. The agreement tied the accommodation to the manager of the site and any dependants **or** [my emphasis] such person employed (and their partner and dependants) by the owner. That permission however was not implemented and was supplanted by the later permission referred to above which was not subject to any S106 agreement. It is clear that it was the later permission that was built not the earlier.
- 11.2.9 However, both permissions had a planning condition applied which reads as follows -
- “The residential accommodation hereby approved shall only be used by the owner/manager of the New Forest Water Park and their dependents whilst it is in operation*
- Reason – The site lies in an area where additional units of residential accommodation are not normally permitted”*
- 11.2.10 It appears to officers that at the present time the current occupation of the manager accommodation by the manager and his adult son and their respective partners is not strictly in compliance as the son and his partner are not dependants of the owner as is required by the condition. The supplemental S106 agreement referred to above and the condition therefore have the same thrust of allowing one family unit rather than two managers or staff members with their respective family units.
- 11.2.11 In addition to the above points it has also come to light that a building the subject of application 99/67058 (Garage/store building – approved 24/09/99 - main site - limited use by condition), appears to have accommodation at first floor level. This matter has been referred to the applicant for clarification.
- 11.2.12 A search of the electoral roll for this site has revealed that at the present time six adults reside at New Forest Water Park, or another property known as The Barn at the site and within the red line application boundary.

c) Sustainability issues

- 11.2.13 With regard to the overall sustainability of the proposal it appears that there are a number of family units now residing at the site. It has always been recognised that there is a need for an on-site manager presence but in reality this now exceeds that essential requirement recognised in both local and national guidance. There appears no essential need for a significant large extension of the manager accommodation to allow two family units to occupy the building. The site does not lie in a sustainable location and any occupiers will need to travel to access essential services. Whilst it may be more convenient for the second family unit to occupy the site where they work it is not essential they do so. In addition to the applicant who is the original Director of the business who lives on site there is also a live in caretaker on site and other seasonal staff through the open period for the water park. There is currently a breach of planning control in relation to the occupation of the manager unit.
- 11.2.14 In this regard it is considered that the first reason for refusal needs to reflect the principles of sustainable development as set out in the NPPF and local policy.

Design Considerations

- 11.2.15 The 2019 NPPF sets out the following design advice

Section 12 Achieving well designed places encourages high quality buildings and places and good design is a key aspect of sustainable development. Planning decisions should ensure developments are inter alia visually attractive and sympathetic to local character. Para 130 states that permission should be refused for development of poor design

- 11.2.16 Policy CS2 of the Core Strategy states the following -

New development will be required to be well designed to respect the character, identity, and context of the area's towns, villages and countryside. All new development will be required to contribute positively to local distinctiveness and sense of place, being appropriate and sympathetic to its setting in terms of scale, height, density, layout, appearance, materials, and its relationship to adjoining buildings and landscape features, and shall not cause unacceptable effects by reason of visual intrusion, overlooking, shading, noise, light pollution or other adverse impact on local character and amenities.

- 11.2.17 The current proposal is visible from the car park and its position towards the rear of the site should not be used to allow poor design. The plans indicate a large bulky extension which will considerably increase the mass of the building. The extension will unbalance this side elevation view and when combined with the inappropriate roof feature of a triple dormer on two elevations is considered to be poor design inconsistent with policy. The site does benefit from a backdrop of trees and so in the wider landscape context there will be no harmful impact. Whilst the impact on local character and appearance is therefore limited to that closer to the building this in itself should not be used as a reason to support poor design which degrades the local environment.

11.2.18 Concerns have been initially expressed to the applicant regarding the triple dormers but no substantive response has been received. On further reflection officers consider that the overall mass and bulk of the extension is not acceptable and consequently that design objections should be raised.

12 CONCLUSION ON THE PLANNING BALANCE

12.1 The applicants have applied for a large extension to an existing manager accommodation unit in the open countryside. The proposed building is considered harmful in design terms. The proposed building will continue the likely accommodation of a further family unit which is not considered to be sustainable. This pattern of occupation is in breach of the implemented planning permission. It is considered that the business is already well catered for by on site staff and there is no essential need for new accommodation floorspace.

12.2 This application raises issues relating to the principle of further residential development in the countryside which in all cases should be properly justified. The site already benefits from a considerable amount of staff and manager accommodation and there is no overriding reason for allowing a substantial further increase in the manager's accommodation. Secondly, the mass and bulk of the extension with its detailing exhibits poor design quality contrary to stated policies.

12.3 The proposal has been the subject of a recommendation of approval by the Town Council. The comments they make in support of this rural business are worthy of support if there was no current staff or manager accommodation.

12.4 It is considered given the harmful impact of the development the balance in this case should be to refuse the application.

13 OTHER CONSIDERATIONS

Proactive working statement

13.1 In accordance with paragraph 38 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants.

13.2 In this case all the above apply. The applicant did not avail himself of the Council's pre application advice service. The Council has sought further justification for the proposal as well as further consideration of design matters but this has not resulted in any information forthcoming from the applicant to set aside the reasons for refusal as set out.

Local Finance

13.3 Local finance considerations are not relevant to this application

Human Rights

- 13.4 In coming to this recommendation, consideration has been given to the rights set out in Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to peaceful enjoyment of possessions) of the European Convention on Human Rights. Whilst it is recognised that this recommendation, if agreed, may interfere with the rights and freedoms of the applicant to develop the land in the way proposed, the objections to the planning application are serious ones and cannot be overcome by the imposition of conditions. The public interest can only be safeguarded by the refusal of permission.

Equality

- 13.5 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty *inter alia* when determining all planning applications. In particular the Committee must pay due regard to the need to:
- a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

14 NOTES FOR INCLUSION ON CERTIFICATE:

1. In accordance with paragraph 38 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants.

In this case all the above apply. The applicant did not avail himself of the Council's pre application advice service. The Council has sought further justification for the proposal as well as further consideration of design matters but this has not resulted in any information forthcoming from the applicant to set aside the reasons for refusal as set out.

15. RECOMMENDATION

Refuse

Reasons for refusal:

1. The proposal is for a 60% floorspace increase to an existing manager's accommodation unit within this rural business based in the open countryside. Special consideration of any residential accommodation in the countryside is required to ensure that any development is sustainable as required by the National Planning Policy Framework 2019 (NPPF), Core Strategy policy CS1, and Local Plan part 2 policy NPPF1 and DM20. In this case the site already benefits from a significant amount of staff and manager accommodation and it is considered that there is no overriding justification or essential need to support such a large percentage increase in accommodation at this site. Occupation of the manager accommodation by a second family unit is not considered to constitute sustainable development
2. The proposal by virtue of its size, design, bulk and mass is considered to represent poor design that detracts from the character and appearance of the existing building and the rural character of the area, inconsistent with NPPF section 12, policy CS2 of the New Forest Core Strategy and Policy DM20 of the New Forest Local Plan part 2, which 'inter alia' requires development proposals to be well designed and to contribute positively to local distinctiveness and sense of place, and the rural character of the area.

Further Information:

Stephen Belli

Telephone: 023 8028 5588

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Application Number: 19/10545 Full Planning Permission

Site: 3-7 WATER LANE, TOTTON SO40 3DF
Development: First & second floor extension to create 8 flats on first & second floors; landscaping/communal area; cycle and bin stores
Applicant: Sandkot Ltd.
Target Date: 20/06/2019
Link to case file: [view online here](#)

1 SUMMARY OF THE MAIN ISSUES

The following matters are considered to be the main issues to be taken into account when determining this application. These, and all other relevant considerations, are set out and considered in Section 11, Officer Comments, of this report after which a conclusion on the planning balance is reached.

- 1) Principle of development and local and national policy
- 2) Impact on character and appearance of area
- 3) Highway safety, parking access and refuse storage
- 4) Standard of living accommodation
- 5) Local residential amenity issues
- 6) Ecological impact and habitat mitigation

This matter is being considered by Committee as the Town Council have a contrary view (recommended refusal).

2 THE SITE

The site is located within Totton town centre near the junction of Water Lane with Salisbury Road. The site comprises a two storey modern building fronting Water Lane. The building currently has a Post Office and Subway sandwich bar on the ground floor with three residential flats above. The site fronts onto an open grassy area to the north, and to a large three storey complex of flats (Popes Court) to the west separated by a narrow access lane giving pedestrian access to the rear service area of the shops and access to the flats. To the east of the site lies a two storey shop with a flat above (11 Water Lane). Further to the north over the road lies a further three storey building again in use for commercial purposes on the ground floor with flats above. The site backs onto a former petrol filling station to the south which is currently used as a car wash.

The site lies approximately 500 metres from Totton Railway Station and within 150 metres of two town centre car parks. Local bus services are also available within 100 metres of the site.

The existing building has modern shop fronts on the ground floor above which the building has a concrete render finish all under a synthetic slate type roof. The gable ends are finished in brick and render. The adjoining 3 storey flatted complex of Popes Court has a combination of red and buff coloured facing bricks under a concrete tiled roof. The adjoining 2 storey building to the east is faced in red brick under a slate roof with a modern shop front to the ground floor. Short stay parking for customers to the shops is available on the Water Lane frontage.

Two of the flats on the first floor are accessed via the alleyway between the building and Popes Court. The third flat is accessed from another alleyway between the building and 11 Water Lane.

The size of the existing flats are as follows -

Flat 1 three bed unit	= 80 sq. m
Flat 2 one bed unit	= 41 sq. m
Flat 3 bedsit	= 36 sq. m

The three flats currently have access to an open amenity area at first floor level which measures some 100 square metres in area. This area overlooks the car wash to the south. There is no dedicated car parking or cycle parking at present.

3 THE PROPOSED DEVELOPMENT

The proposal is to redevelop the existing building by building a second floor above the existing first floor flats and redeveloping the resulting building to provide for a total of 8 flats: 6x1 bed flats and 2x2 bed flats on the first floor and second floor. This will replace the existing 3 flats and thereby result in a net increase of 5 flats. A new internal staircase will give access to all the flats from the side entrance facing Popes Court, with individual flat bin storage and cycle undercover storage (for 10 cycles) at ground level to serve the flats. The retail units will retain their own bin storage and rear access points.

The existing rooftop amenity area which currently serves the three existing flats will be retained albeit reduced to an area of 89 sq. m and landscaped. The existing Subway shop and post office on the ground floor will be retained and the rear service yard for Subway re-arranged to make room for the new flats bin store and cycle store.

The floor area of the new flats rounded up or down measures as follows -

- Flat 1 two bed = 61 sq.m
- Flat 2 one bed = 50 sq.m
- Flat 3 one bed = 51 sq.m
- Flat 4 one bed = 52 sq.m
- Flat 5 two bed = 61 sq.m
- Flat 6 one bed = 50 sq.m
- Flat 7 one bed = 51 sq.m
- Flat 8 one bed = 52 sq.m

4 PLANNING HISTORY INCLUDING NOTES on PRE APPLICATION DISCUSSIONS

08/92595 - Ground, first & second floor extensions to create 9 flats – refused 18/07/08 for reasons of overdevelopment, impact on Popes Court flats, inadequate parking, and no contributions to public open space or local transport infrastructure.

ENQ/18/21189 - Pre application advice for redevelopment to form 8 flats in May 2019 stating principle likely to be acceptable for upwards extension even without car parking in this town centre location, cycle storage and bin storage essential, further consideration on design and impact on adjoining residents would be made at application stage. Subject to contributions on habitat mitigation but no other contributions or affordable housing now required for this scale of development.

5 THE DEVELOPMENT PLAN AND OTHER NFDC GUIDANCE

Local Plan (Core Strategy)

CS1 – Sustainable development principle

CS2 – Design quality

CS9 – Settlement hierarchy

CS20 – Town and settlements retail policy

CS24 - Transport considerations

Local Plan Part 2 Sites and Development Management Development Plan Document

NPPF1 NPPF - presumption in favour of sustainable development

DM1 Heritage and conservation

DM2 Nature conservation, biodiversity and geodiversity

DM3 Mitigation of impacts on European Sites

The Emerging Local Plan

The Local Plan Review 2016-2036 is in what can be considered an ‘advanced stage’ in its preparation, in that it has been submitted to the Secretary of State and is under Examination. It is therefore a material consideration which can be given weight in decision-making. However, the weight to be given to it will need to reflect unresolved objections to the policies. A policy or proposal subject to objections considered at the Local Plan Examination can be given less weight than a policy/proposal not subject to objections.

Supplementary Planning Guidance and other Documents

SPD Mitigation Strategy for European Sites

SPD Parking standards

SPD Totton Town Centre Urban Design Framework

6 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Planning and Compulsory Purchase Act 2004

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that “where in making any determination under the Planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material consideration indicates otherwise

Relevant Advice

NPPF 2019

- Section 2 definition of sustainable development and presumption in favour particularly if local plan policies are out of date.
- Section 7 ensuring the vitality of town centres – encouraging residential development on suitable sites
- Section 9 promoting sustainable transport and encouraging development where there are a range of transport options.
- Section 11 making effective use of land including promotion of airspace above existing residential and commercial premises
- Section 12 achieving well designed places, sympathetic to local character and visually attractive
- Para 63. Provision of affordable housing should not be sought for residential developments that are not major developments

2015 – Technical housing standards- nationally described space standards

- 1 bed 1 person flat 39 sq.m
- 1 bed 2 person flat 50 sq.m
- 2 bed 3 person flat 61 sq.m
- 2 bed 4 person flat 70 sq.m

7 PARISH / TOWN COUNCIL COMMENTS

Totton Town Council: recommend Refusal

While the addition of residential flats above ground floor commercial units is generally acceptable, the amenity and the quality of these residential dwellings are important to consider as well as the impact upon surrounding properties. The unit will match with the height of the adjacent building and would not be out of keeping with its Town Centre location. It is not felt that the impact from this increased height would be detrimental on neighbouring properties. The primary concerns of the Council are the poor quality and amenity space that these new flats would provide. Some of the flats have very little light and outlook. Amenity space is being reduced despite the additional dwellings and there are no proposed parking spaces for these additional flats. It is felt that a reduction in the density of these properties with better quality living and amenity space would go some way to alleviate these concerns.

8 COUNCILLOR COMMENTS

No comments received

9 CONSULTEE COMMENTS

The following is a summary of the comments received which can be read in full via the link set out at the head of this report. The comments set out below are initial comments based on the original plans. Any comments on amended plans will be reported verbally at the meeting.

Hampshire County Council Highways: no objection

This site appears to have no on-site parking or a vehicular access currently. The proposed development does not alter this. As the site is located in a sustainable location it is not necessary to provide parking on site, that said, this subject is a matter for the LPA.

Environmental Health (Contaminated Land): no comments or concerns

Environmental Health (Pollution): no significant adverse impact is anticipated particularly as similar residential accommodation already exists both within the development and on adjacent plots.

However, concerns are raised over noise relating to the construction activity given the location and proximity to receptors; therefore a condition limiting the hours of construction is requested.

NFDC Building Control comment that there should be vehicle access for a pump appliance to within 45m of all points within each dwelling. No other comments at this stage.

Waste Management: they will not be able to use 1100lt bins. They will have to use black sacks for general waste and clear sacks for recycling waste. We will also need access to any gate keys/codes for the new metal gates

Southern Gas Network: offers standard safety advice. Low pressure main in Water Lane but no other mains affecting this site

10 REPRESENTATIONS RECEIVED

No comments received on original plans. Any comments received on amended plans will be reported at the meeting.

11 OFFICER COMMENTS

Introduction

11.1 The key considerations in this case are as set out at the start of this report. The application plans have now been amended in order to respond to the concerns raised by the Town Council in particular. These amended plans have been the subject of a re-consultation exercise with consultees and interested 3rd parties. The consultation deadline will expire before the Committee meeting and any comments received will be considered and reported at the meeting.

Principle of development and local and national policy

11.2 The site lies in a highly sustainable location within the town centre of the largest town in the district. There are a full range of services and facilities within easy walking distance of the site including a range of public transport options. Both local and national policy point to a preference of accommodating new residential development in sustainable locations and for maximum growth numbers to be accommodated in the principal settlements. The NPPF encourages development of an upwards nature in town centres thereby maximising opportunities for new housing development subject to other environmental considerations of which design is a key consideration.

11.3 The living conditions of any new occupants are an important design

consideration. Amenity issues raised by the Town Council have been considered and a number of improvements have now been made to the proposed plans such as larger and more fenestration units allowing Juliet or full balconies to all flats, and additional windows to light darker areas within the flats. In addition there would be an outdoor amenity area includes a sitting out area and landscaping which is an improvement over the current tarmac finish yard. Whilst the outdoor area has been reduced the increased amenity and improved internal arrangements of the flats are considered to outweigh that loss on this occasion. It should be noted that the Council does not have adopted space standards as there are national space standards the proposed flats all compare favourably with national space standards as set out above.

- 11.4 As the number of units proposed falls below the threshold that triggers a requirement for the provision of affordable dwellings within this scheme it is the case that the open market units now offered will be at the lower end of the cost scale and will be more affordable to those who at present cannot access the housing ladder. Given the size of the units proposed it is likely that the flats will appeal most to single persons or couples.
- 11.5 The LPA is not currently able to demonstrate a 5 year supply of housing land when assessed against its most recent calculation of Objectively Assessed Need. Relevant policies for the supply of housing are therefore out of date. In accordance with the advice at paragraph 11 of the NPPF, permission should therefore be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the NPPF indicate that development should be restricted

Impact on character and appearance of area

- 11.6 The street scene along both sides of Water Lane is of mixed appearance with some two and some three storey units. The large flatted development to the west (Popes Court) is already 3 storey in nature as are the run of buildings and flats on the opposite side of the road. Whilst No. 11 Water Lane is 2 storey it is considered that a taller building on the application site will not be intrusive or look out of place. The ridge line of the new development will match that of Popes Court. The earlier refused application on this site proposed a development for a larger number of units and for a taller building. The building also filled the whole of the site removing any external communal area.
- 11.7 In design terms the current proposal as originally submitted was generally acceptable, following pre application advice. Further improvements in architectural terms have been sought and agreed by the applicants which give the façade a more contemporary approach. This improves the appearance of the existing building and adds some interest in the street scene which is dominated by development from the 1960s and 1970s. Other improvements to the fenestration have also assisted both in improving the external appearance and making the flats more attractive and pleasant to occupy internally. Apart from internal bathrooms all rooms within the new flats will have adequate light and ventilation.

Highway safety, parking and access

- 11.8 The comments of the Highway Authority are noted. In particular it does

not object to a lack of car parking to serve this site commenting that this is a matter for the Council to consider. The Council has adopted an SPD which requires parking spaces for new flats of 1.4 spaces per 1 bed unit and 1.5 spaces for 2 bed units on a shared basis with 1 and 2 cycle spaces per flat respectively. In this case it is not physically possible to provide on-site parking because of the tight knit nature of the site in relation to the neighbouring buildings. The site is landlocked at the rear and has no room on the frontage or to the sides to create parking spaces. The National Planning Policy Framework highlights the need to optimise density of development in town centres and be more flexible around parking provision in town and city centres where there are a range of public transport options available as is the case here. In addition if any occupiers do own a car there are public car parks available with at present free parking in the evenings within easy walking distance.

- 11.9 Whilst no parking is provided the scheme does provide secure cycle parking for each flat. On this occasion taking policy and guidance into account there are considered to be no sustainable grounds to refuse planning permission on the basis of lack of parking provision.

Local residential amenity issues

- 11.10 The scheme has been developed to respect the occupiers of flats on both sides of the application site. The potential for overlooking of No.11 has been reduced by screen fencing on balconies. The impact of the development on No.11 has also been taken into account by reducing the depth of the new building in this location. On the Popes Court side of the building there are no windows serving habitable rooms. No objections have been received currently to the scheme as initially proposed. The amended plans are also considered acceptable in this respect. Any further comments received will be considered and reported to Committee

Ecological impact and habitat mitigation

- 11.11 In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting planning permission would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of that site's conservation objectives. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the recreational impacts on the European sites, but that the adverse impacts would be avoided if the planning permission were to be conditional upon the approval of proposals for the mitigation of that impact in accordance with the Council's Mitigation Strategy or mitigation to at least an equivalent effect.

11.12 Other Issues

The Environmental Health Officer has recommended a condition to restrict the hours of construction given the proximity of existing residential properties. However, the construction period will be relatively short and given the need to comply with other legislation relating to statutory nuisance, it is not considered to be necessary or reasonable to include this as a condition of this planning permission.

12 CONCLUSION ON THE PLANNING BALANCE

- 12.1 The site lies in a highly sustainable location and proposes a development

that optimises density on a brownfield site. The Council cannot demonstrate a 5 year Housing Land Supply and therefore in accordance with Paragraph 11 of the NPPF should grant permission unless there are any adverse impacts of doing so that would significantly and demonstrably outweigh the benefits. Whilst the site cannot provide its own car parking on this occasion the site is in a highly sustainable location with a range of services and public transport options. The proposed development accords with national and local policies relating to housing development in such areas. The relationship between the proposed development and nearby dwellings and the design is considered acceptable, positively enhancing the visual amenity of the locality. The planning balance on this occasion is to approve the development subject to conditions.

13 OTHER CONSIDERATIONS

Proactive Working Statement

In accordance with paragraph 38 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants.

In this case all the above apply. The Council and the applicant have agreed changes to the proposed plans to address the concerns raised by the Town Council on this occasion.

Crime and Disorder

No significant issues arise with this application.

Local Finance

If this development is granted permission, the Council will receive New Homes Bonus (net increase in dwellings $5 \times \text{£}1224 = \text{£}6120.00$) in each of the following four years, subject to the following conditions being met:

- a) The dwellings the subject of this permission are completed, and
- b) The total number of dwellings completed in the relevant year exceeds 0.4% of the total number of existing dwellings in the District.

Based on the information provided at the time of this report this development has a CIL liability of £31,702.15.

Human Rights

In coming to this recommendation, consideration has been given to the rights set out in Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to peaceful enjoyment of possessions) of the European Convention on Human Rights. Whilst it is recognised that there may be an interference with these rights and the rights of other third parties, such interference has to be balanced with the like rights of the applicant to develop the land in the way proposed. In this case it is considered that the protection of the rights and freedoms of the applicant outweigh any possible interference that may result to any third party.

Equality

The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty *inter alia* when determining all planning applications. In particular the Committee must pay due regard to the need to:

- (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Section 106 Contributions Summary Table

Proposal:			
Type of Contribution	NFDC Policy Requirement	Developer Proposed Provision	Difference
Affordable Housing			
No. of Affordable dwellings	0	0	0
Financial Contribution			
Habitats Mitigation			
Financial Contribution	TBC	TBC	

CIL Summary Table

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargeable Floorspace (sq/m)	Rate	Total
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Dwelling houses	497	173	324	324	£80/sqm	£31,702.15 *
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Subtotal:	£31,702.15
Relief:	£0.00
Total Payable:	£31,702.15

* The formula used to calculate the amount of CIL payable allows for changes in building costs over time and is Index Linked using the All-in Tender Index Price published by the Build Cost Information Service (BICS) and is:

$Net\ additional\ new\ build\ floor\ space\ (A) \times CIL\ Rate\ (R) \times Inflation\ Index\ (I)$

Where:

A = the net area of floor space chargeable in square metres after deducting any existing floor space and any demolitions, where appropriate.

R = the levy rate as set in the Charging Schedule

I = All-in tender price index of construction costs in the year planning permission was granted, divided by the All-in tender price index for the year the Charging Schedule took effect. For 2019 this value is 1.22

14. RECOMMENDATION

Grant Subject to Conditions

Proposed Conditions:

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. The development permitted shall be carried out in accordance with the following approved plans:

KWL 60 rev A - Proposed and existing front elevation
KWL 61 rev B - Proposed and existing east elevation
KWL 62 rev A - Proposed and existing west elevation
KWL 63 rev B - Proposed and existing rear elevation
KWL 55 rev A - Proposed ground floor plan
KWL 56 rev B - Proposed first floor plan
KWL 57 rev B - Proposed second floor plan
KWL 65 rev A - Proposed section details

Reason: To ensure satisfactory provision of the development.

3. All bin stores for residential and commercial properties, together with all bicycle storage shall be in place and available for use prior to the occupation of the flats hereby approved. Such facilities shall be maintained in perpetuity to serve the needs of the residential and commercial occupiers.

Reason: To ensure that appropriate facilities are in place to service the needs of the flat occupiers and commercial users.

4. All balcony screens as shown on the approved plans shall be provided before first occupation and thereafter maintained in perpetuity in the approved form.

Reason: To protect the residential amenity and privacy of other nearby dwellings.

5. No development shall be carried out until proposals for the mitigation of the impact of the development on the New Forest and Solent Coast European Nature Conservation Sites have been submitted to and approved in writing by the local planning authority, and the local planning authority has

confirmed in writing that the provision of the proposed mitigation has been secured. Such proposals must:

- (a) Provide for mitigation in accordance with the New Forest District Council Mitigation Strategy for European Sites SPD, adopted in June 2014 (or any amendment to or replacement for this document in force at the time), or for mitigation to at least an equivalent effect;
- (b) Provide details of the manner in which the proposed mitigation is to be secured. Details to be submitted shall include arrangements for the ongoing maintenance and monitoring of any Suitable Alternative Natural Green Spaces which form part of the proposed mitigation measures together with arrangements for permanent public access thereto.
- (c) The development shall be carried out in accordance with and subject to the approved proposals.

Reason: The impacts of the proposed development must be mitigated before any development is carried out in order to ensure that there will be no adverse impacts on the New Forest and Solent Coast Nature Conservation Sites in accordance with Policy DM3 of the Local Plan Part 2 and the New Forest District Council Mitigation Strategy for European Sites Supplementary Planning Document.

Notes for inclusion on certificate:

1. In accordance with paragraph 38 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants.

In this case all the above apply. The Council and the applicant have agreed changes to the proposed plans to address the concerns raised by the Town Council on this occasion.

2. This decision relates to amended / additional plans received by the Local Planning Authority on 22nd July 2019
3. In discharging condition No.5 above the Applicant is advised that appropriate mitigation is required before the development is commenced, either by agreeing to fund the Council's Mitigation Projects or otherwise providing mitigation to an equivalent standard. Further information about how this can be achieved can be found here <http://www.newforest.gov.uk/article/16478/>
4. The development subject to this notice falls within a highlighted proximity of a mains gas pipe which is considered a major hazard.

The applicant/agent/developer is strongly advised to contact the pipeline

operator PRIOR to ANY works being undertaken pursuant to the permission granted/confirmed by this notice.

Address is:

Southern Gas Networks Plc

SGN Plant Location Team

95 Kilbirnie Street

Glasgow

GS5 8JD

Tel: 0141 184093 OR 0845 0703497

Search online at:

www.linesearchbeforeyoudig.co.uk

SGN personnel will contact you accordingly.

5. Wildlife and protected species are widespread in the New Forest District and the issuing of planning consent should not be taken as acceptance that they may not be present at the time of development operations. Given that disturbance or harm to wildlife can result in criminal offences being committed by those undertaking or commissioning works, due regard should be given to the law and relevant professional advice. Whilst any risks to protected species may be low, regard should be given to appropriate ecological advice as wildlife is mobile and may occupy sites where evidence was not previously found, the risk of presence should be appropriately addressed during works. If evidence of protected species (such as bats, nesting birds and reptiles) is encountered, works should stop immediately and Natural England, as well as an ecological consultant, contacted for advice, Works should only proceed in accordance with the advice provided.

Further Information:

Stephen Belli

Telephone: 023 8028 5588



New Forest
DISTRICT COUNCIL

Tel: 023 8028 5000
www.newforest.gov.uk

Claire Upton-Brown
Chief Planning Officer
Planning
New Forest District Council
Appletree Court
Lyndhurst
SO43 7PA

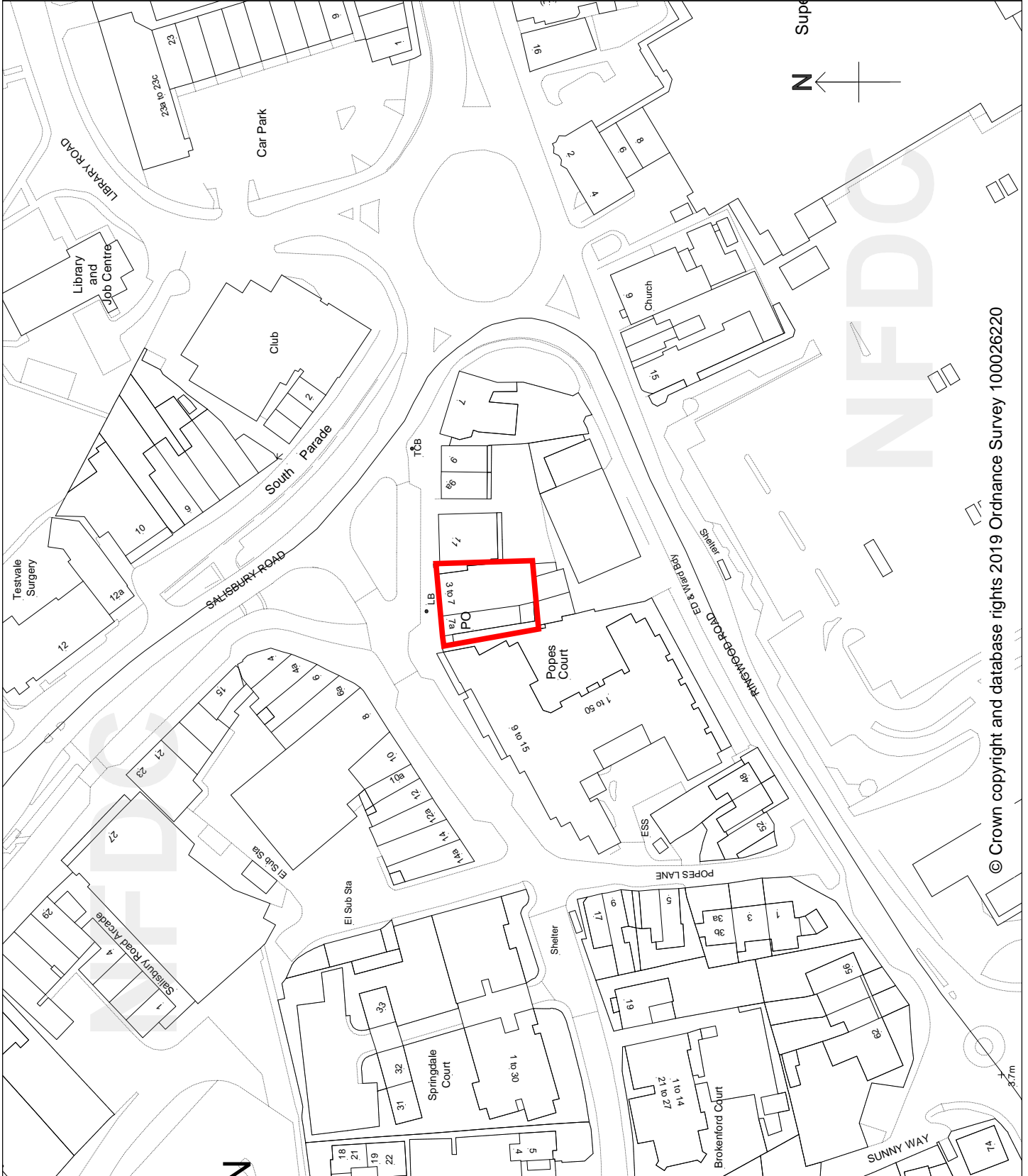
PLANNING COMMITTEE

August 2019

Item No: 3d
3-7 Water Lane
Totton
19/10545

Scale 1:1250

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



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Application Number: 19/10744 Full Planning Permission

Site: 38 MANOR ROAD, RINGWOOD BH24 1RA

Development: Single-storey side extension

Applicant: Mr Johnson

Target Date: 07/08/2019

Link to case file: [view online here](#)

1 SUMMARY OF THE MAIN ISSUES

The following are considered to be the main issues to be taken into account when determining this application. These, and all other relevant considerations, are set out and considered in Section 11, of this report after which a conclusion on the planning balance is reached.

- 1) Impact on the street scene
- 2) Character of the area
- 3) Neighbour amenity

This matter is being considered by the Committee as the applicant is a member of staff.

2 THE SITE.

38 Manor Road is a semi-detached red brick cottage dates from 1902 according to the stone plaque on the front of the pair. Part of a group of distinctive early twentieth century dwellings. The dwelling is located on a prominent corner plot in the built up area of Ringwood. To the front and side of the dwelling is a high hedge which shields the garden from views from the street, the rear garden is enclosed by a high close boarded fence. There are a mixture of architectural styles and sizes of dwellings in the vicinity which appear to have evolved over time. Turning into Manor Road from the north the properties on the western side of the road are older than those on the east, dating from the turn of the twentieth century the pattern of development is clearly grouped. No 38 is half of a pair of the same styled whilst opposite on the eastern side of the road Nos 29-37 are low level bungalows built for the Local Authority.

3 THE PROPOSED DEVELOPMENT

The application proposes a single-storey side extension constructed from bricks and slates with fully glazed double glass doors which would replace the existing conservatory fronting onto Green Lane.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
13/11573 Single-storey rear extension; fenestration alterations	14/02/2014	Granted Subject to Conditions	Decided

5 THE DEVELOPMENT PLAN AND OTHER NFDC GUIDANCE

Core Strategy

CS2: Design quality

Local Plan Part 2 Sites and Development Management Development Plan Document

None relevant

Emerging Local Plan

Policy 13: Design quality and local distinctiveness
SO3: Built environment and heritage

Supplementary Planning Guidance And Documents

SPD - Ringwood Local Distinctiveness

6 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Relevant Legislation

Section 38 Development Plan
Planning and Compulsory Purchase Act 2004

Relevant Advice

NPPF
Chap 12: Achieving well designed places

7 PARISH / TOWN COUNCIL COMMENTS

Ringwood Town Council: recommend PERMISSION but would accept the decision reached by the DC Officers under their delegated powers.

8 COUNCILLOR COMMENTS

No comments received

9 CONSULTEE COMMENTS

The following is a summary of the representations received which can be read in full via the link set out at the head of this report.

Wessex Water: no objection

10 REPRESENTATIONS RECEIVED

No representations received.

11 OFFICER COMMENTS

Introduction

- 11.1 The semi-detached red brick cottage dates from 1902 according to the stone plaque on the front of the pair. Part of a group of distinctive early twentieth century dwellings, originally built in a rural setting the surroundings have developed since then into a manifestly urban area. The site benefits from quite a wide plot although in 2002 the plot was severed at the rear to allow for the building of No 4 Green Lane. Permission was granted for the conservatory in 1997, with the current application to replace the conservatory with a more robust brick built, slate roofed extension which would have better thermal qualities and be able to provide more useful family accommodation.

Relevant Considerations

NPPF

- 11.2 The proposal would accord with the National Planning Policy Framework (2019) which in Chapter 12 (Achieving well-designed places) puts strong emphasis on delivery of good design which helps to create *“better places in which to live and work and helps make development acceptable to communities”* (para. 124). The Framework also calls for *“a high standard of amenity for existing and future users”* (para. 127).

Core Strategy

- 11.3 Policy CS2 of the Core Strategy for the New Forest District outside the National Park (2009) requires new development to be well designed to respect the character, identity, and context of the area's towns, villages and countryside. It also states that new development shall not cause unacceptable effects by reason of visual intrusion, overlooking, shading, noise, light pollution or other adverse impact on local character and amenities. This advice is reflected in the emerging Local Plan, namely Policy 13 - Design quality and local distinctiveness. The proposal has been assessed against policy CS2 and found to be in accordance with it.

Street scene

- 11.4 The proposed side extension would have a greater height and more solid construction than the existing conservatory but would not be significantly more visually imposing. The spatial relationship with adjacent dwellings would I see little change to the street scene and there would be limited views from both Manor Road and Green Lane, with the hedge screening, the impact on the street scene would be acceptable.

Character of the Area

- 11.5 The site lies within the Ringwood Local Distinctiveness Character Area 7 - Parsonage Barn and East Fields, which recognises Manor Road as having distinctive dwellings marking a particular time in the history of Ringwood's development, to the south of the application site Manor Road changes with more suburban style properties built post war with green spaces and wide verges. The proposed extension, although positioned fronting onto Green Lane would not detract from the character of the area where other properties have benefited from extensions over time.

Impact on amenities of neighbouring residents

11.6 The proposal has been carefully assessed on site. The proposal, by reason of the spatial characteristics of the site and adjacent properties, design, location and positioning in relation to the common boundaries and the neighbouring properties, would cause no material detriment to the privacy, light and outlook available to the adjacent neighbours.

11.7 The proposal would be slightly more dominant in its form than the existing conservatory but there would be no issues with overshadowing, loss of light or loss of privacy and the impact on the amenities of neighbouring properties would be acceptable

Wessex Water

11.8 Although Wessex Water had no objection they identified a 100mm diameter sewer would be affected by the proposal and therefore a sewer build over agreement would be required if planning permission were to be granted. This would all be dealt with under the Building Regulation legislation and is not a material planning consideration.

Materials

11.9 The materials proposed for the construction would be red stock brick in natural coloured lime mortar with blue/black slates and white pvc windows and black rainwater goods all of which would match the existing materials and therefore would be in keeping with the host dwelling and its surroundings in the built up area.

12 CONCLUSION ON THE PLANNING BALANCE

For the reasons given above, it is considered that the proposed development accords with the local development plan for New Forest District and the Government advice contained within the National Planning Policy Framework (2019). The other material considerations, including the emerging Local Plan, do not indicate otherwise, they confirm the indication given by the development plan, namely that planning permission should be granted. Therefore, conditional permission is recommended.

13 OTHER CONSIDERATIONS

Crime and Disorder

No relevant considerations in respect of this proposal

Local Finance

Regulation 42 of the CIL Regulations 2010 (as amended) states that CIL will be applicable to all applications over 100sqm GIA and those that create a new dwelling. The development is under 100 sq metres and is not for a new dwelling and so there is no CIL liability in this case.

Human Rights

In coming to this recommendation, consideration has been given to the rights set out in Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to peaceful enjoyment of possessions) of the European Convention on Human Rights. Whilst it is recognised that there may be an interference with these rights and the rights of other third parties, such interference has to be balanced with the like rights of the applicant to develop

the land in the way proposed. In this case it is considered that the protection of the rights and freedoms of the applicant outweigh any possible interference that may result to any third party.

Equality

The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty *inter alia* when determining all planning applications. In particular the Committee must pay due regard to the need to:

- 1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- 2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- 3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Other Case Specific Factors

No relevant considerations in respect of this proposal

14. RECOMMENDATION

Grant Subject to Conditions

Proposed Conditions:

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. The development permitted shall be carried out in accordance with the following approved plans: planning design statement dated June 2019, 1:1250 site location plan, 1:500 block plan, 2019/01/01A & 2019/01/03C.

Reason: To ensure satisfactory provision of the development.

Notes for inclusion on certificate:

1. In accordance with paragraph 38 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants.

In this case all the above apply and as the application was acceptable as submitted no specific further actions were required.

Further Information:

Rosie Rigby

Telephone: 023 8028 5588



New Forest
DISTRICT COUNCIL

Tel: 023 8028 5000
www.newforest.gov.uk

Claire Upton-Brown
Chief Planning Officer
Planning
New Forest District Council
Appletree Court
Lyndhurst
SO43 7PA

PLANNING COMMITTEE

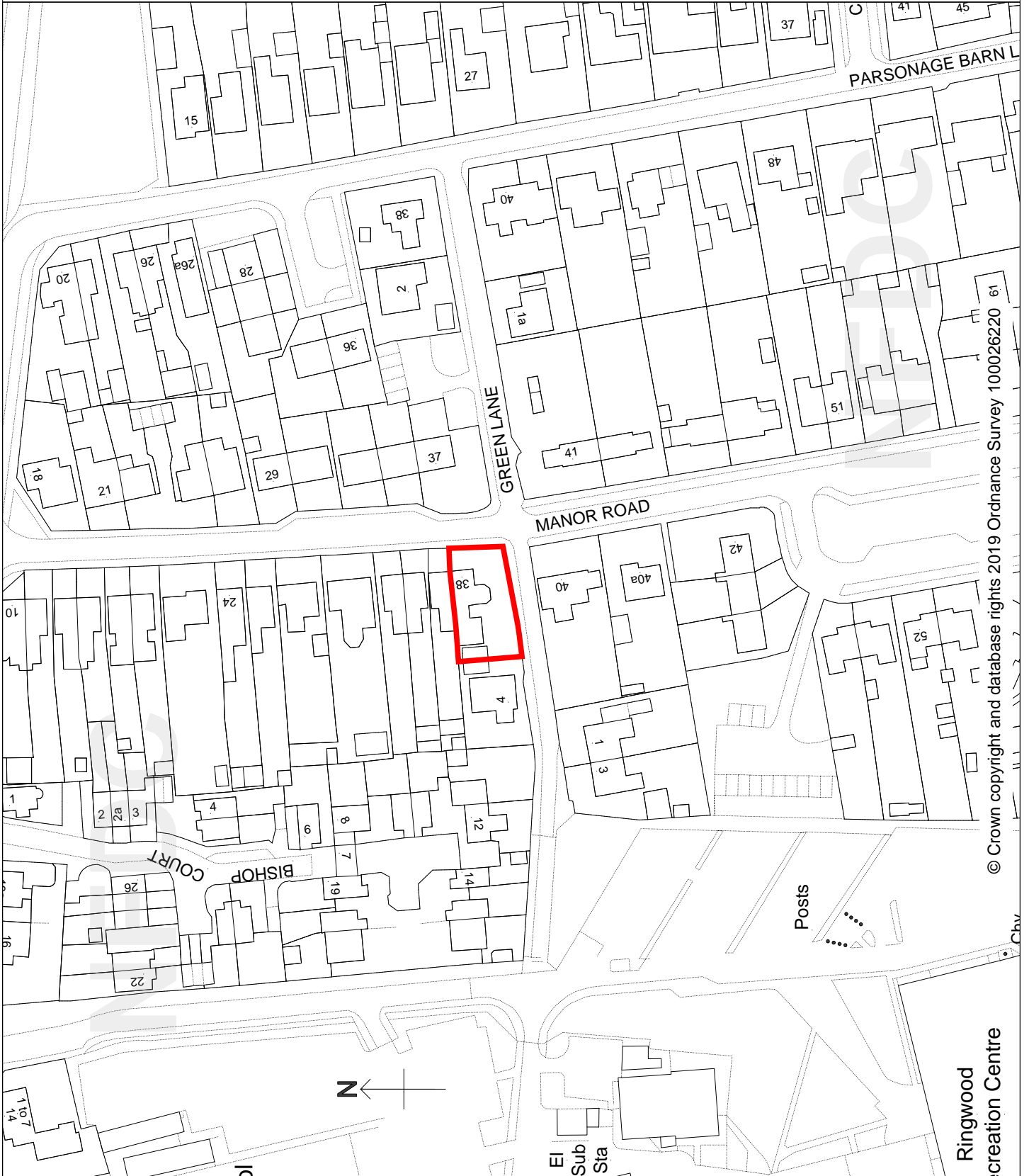
August 2019

Item No: 3e

38
Manor Road
Ringwood
19/10744

Scale 1:1250

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



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Application Number: 19/10437 Variation / Removal of Condition

Site: ARRACHAR, FOX POND LANE, PENNINGTON, LYMINGTON
SO41 8FW

Development: Variation of condition 2 of 17/10532 to allow revised plans PE.02
Rev H, PL.01 Rev E & PP.01 Rev D to allow first-floor side
extension; timber cladding; fenestration alterations; window
alterations to ancillary building

Applicant: Mrs Ashworth

Target Date: 21/06/2019

Link to case file: [view online here](#)

1 SUMMARY OF THE MAIN ISSUES

The following matters are considered to be the main issues to be taken into account when determining this application. These, and all other relevant considerations, are set out and considered in Section 11 of this report after which a conclusion on the planning balance is reached.

- 1) the acceptability of the proposed amendments to the design of the dwelling
- 2) the impact of the proposed amendments to the amenities of neighbouring residents residential amenity

This matter is to be determined by Committee due to the contrary view of the Town Council.

2 THE SITE

The site lies within the built up area of Pennington. The street scene of Fox Pond Lane comprises a variety of dwelling types and styles including cottages, modern terraces and 2-storey dwellings. The site contains a large detached 2-storey dwelling with parking to the frontage and outbuildings to the rear. There is a recessed hot tub within the patio area with the rest of the back garden laid to lawn.

3 THE PROPOSED DEVELOPMENT

The current proposal seeks a variation of condition 2 of the previous permission (17/10532) to allow revised plan numbers that include a first floor side extension, timber cladding and fenestration alterations to both the dwelling and outbuilding. Timber cladding is proposed to all elevations of the dwelling except to the south and to the front elevation and the west gable of the outbuilding. The fenestration alterations relate to 3 ensuite and 2 bedroom rooflights to the southern elevation, the rear dormer window and their replacement with a high level window and standard windows. The plans also include an increase in height of 0.2m of the highest ridge. Planning application 17/10532 was approved in June 2017 for a replacement dwelling and outbuilding together with a 1.8m high gate and 1m high front boundary wall. Since the grant of planning permission a dwelling has been constructed on the site, there have been several changes to the original permission. There have been enforcement investigations relating to works that

have been carried out without planning permission, however this is a separate matter to this application.

An earlier application 18/10774 was submitted in June 2018, this application sought permission to vary the condition imposed on the original permission specifying the approved plans. The application sought to remove the condition and replace it with one specifying the approved plans. The application sought permission of a house, detached outbuildings; 1.8m high boundary fence and gate; demolition of the existing house.

Planning permission was refused in September 2018. The applicant appealed against the refusal, the appeal was dismissed in February 2019. In dismissing the appeal the Inspector concluded that the principle of the dwelling was already accepted, it was considered that the main issues were:

- The living conditions of the occupiers of Bay Tree Cottage, with particular regard to overlooking and outlook: and
- The character and appearance of the area

In considering the issues the Inspector concluded the following:

Living conditions

- The proposal included an additional first floor with a large clear glazed rooflight serving bedroom 4 which the Inspector considered would result in material harm to Bay Tree Cottage
- The rear elevation window in Bedroom 4 would be close to the boundary with Bay Tree Cottage and would result in overlooking, a fin or louvre over much of the window would substantially reduce the size of the window and this could be achieved by way of condition.
- The views from the front window in the additional first floor would result in limited overlooking and would not cause significant overlooking.
- Other rooflights and windows proposed in the side elevations and would not cause harm
- Whilst the rear first floor windows were larger than the approved scheme the Inspector concluded that they would not cause any additional overlooking.

Character and Appearance

The Inspector concluded the following;

- The proposed use of cladding was considered to be an acceptable material
- The proposed front wall and fence were not considered to appear incongruous in the street scene.
- The proposal would not harm the character and appearance of the area. .

The current application proposes variations including :

- a first floor side extension,
- timber cladding to the front and rear elevations of the dwelling and the rear dormer and the front and part sides of the outbuilding,
- fenestration alterations to the dwelling and outbuilding.
- an increase in height of 0.2m to the highest ridge.

This application is partly retrospective. The works which have not yet been implemented are the timber cladding and the fenestration alterations to the dwelling which include the provision of a timber fin or louvre over part of the window serving bedroom 4 to protect residential amenity.

4 PLANNING HISTORY

17/10532 – house, detached outbuilding, 1.8m high boundary fence and gate, demolition of existing. Granted 6.6.17

17/11503 – outbuilding. Refused 10.1.18. *This structure was proposed as an alternative to that approved under 17/10532.*

18/10327 – house, detached outbuilding, demolition of existing (retrospective). Withdrawn by applicant 19.4.18

18/10774 – variation of condition of 17/10532 to allow revised plan numbers to allow first floor side extension, revised front boundary details, timber cladding, fenestration alterations change to rear windows, side roof lights provision of oriel window provision flue . Refused 12.9.18, appeal dismissed.

The following applications all relate to the smaller outbuilding which does not form part of the considerations for the current scheme.

18/10773 – outbuilding (Lawful Development Certificate Proposed). Not lawful 20.8.18.

18/11171 – outbuilding (Lawful Development Certificate Existing). Was not lawful 5.11.18.

18/11476 – outbuilding. Refused 3.1.19, appeal allowed.

5 THE DEVELOPMENT PLAN AND OTHER NFDC GUIDANCE

The Core Strategy

CS1: Sustainable development principles

CS2: Design quality

Local Plan Part 2 Sites and Development Management Development Plan Document

None relevant

The Emerging Local Plan

Policy 13: Design quality and local distinctiveness

Supplementary Planning Guidance and other Documents

SPD - Lymington Local Distinctiveness

6 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Relevant Legislation

NPPF Ch.2 - Achieving sustainable development

NPPF Ch. 4 - Decision-making

NPPF Ch.12 - Achieving well-designed places

7 PARISH / TOWN COUNCIL COMMENTS

Lymington & Pennington Town Council: recommend REFUSAL: This development continues to push the boundaries, affecting the amenity value to the neighbours. We are concerned about the neighbour comment referring to a kitchen area with sink, not shown in the plans for the outbuilding. We believe there are overlooking issues affecting amenity of the neighbours and the fins are not a sustainable solution.

8 COUNCILLOR COMMENTS

None received

9 CONSULTEE COMMENTS

None

10 REPRESENTATIONS RECEIVED

The following is a summary of the representations received from 5 local residents; they can be read in full via the link set out at the head of this report.

- it is misleading to use comments from the Planning Inspector on a different set of plans;
- cladding will not address the overbearing impact of the rear dormer;
- loss of privacy due to outbuilding gable window;
- increased noise due to use of ancillary outbuilding;
- timber cladding would not be in keeping with the street scene, weatherboarding would be preferable;
- discrepancies within the plans;
- bedroom roof light should be replaced rather than altered;
- unable to assess whether or not fin would protect amenity;
- other roof lights would result in overlooking and should be fixed shut and non-opening;
- no detail of the proposed colour of cladding;
- cladding to rear dormer could easily be removed;
- building is far too large;
- additional black fencing has been provided to the northern boundary;
- dwelling is higher than approved.

A letter of support has been received on behalf of the applicant clarifying the conclusions of the appeal Inspector, the finish to the cladding, that the outbuilding is lawful for ancillary purposes and that the applicant has made every attempt to resolve the outstanding issues.

11 OFFICER COMMENTS

The principle of the development has already been accepted and whilst the appeal to vary the condition was refused the Inspector concluded that a number of the changes to the approved plans were acceptable. The Inspector's decision is a material consideration and should be given significant weight.

Introduction

- 11.1 The current application follows the appeal decision in February 2019. It proposes changes to the existing built form on site in order to address issues identified at the appeal and to regularise other changes which are different to the approved scheme, 17/10532 and formed part of the previous application that was refused at appeal. It is important at the outset to set out the background to this case due to its complicated recent planning history which is material to determination of the current planning application.
- 11.2 Permission was initially granted for a replacement dwelling and outbuilding in June 2017 (17/10532). Works were subsequently commenced however there were some significant differences in what was being built compared to the approved plans.
- 11.3 A variation of condition application was submitted in September 2018 (18/10774) which sought to secure these changes along with some further modifications. This scheme was refused in September 2018 and was subject of an appeal which was dismissed in February 2019. In dismissing this appeal the Inspector made it clear what was and what was not considered to be acceptable.
- 11.4 In addition to the principle of the redevelopment being considered acceptable, the Inspector concluded in his determination that the following changes were not reasons for dismissing the appeal:
- the provision of a flue
 - the increased size of roof light to the front elevation
 - the bulk and massing of the first floor side addition
 - the high level side roof lights relating to en-suites or storage areas
 - the oriel window
 - the timber cladding
 - the rear dormer
 - the ground floor fenestration changes to the rear elevation
 - the changes to the front boundary treatment

On this basis, it is considered that the above changes are not harmful to either the character and appearance of the area or the residential amenities of neighbouring properties. The outstanding matters which are relevant to the consideration of this application therefore are as follows:

- the roof light to bedroom 4
 - the rear window to bedroom 4
- 11.5 A second outbuilding has also been constructed at the site this structure now benefits from planning permission which was allowed on appeal (18/11476) and it is not part of the consideration of the current application.

- 11.6 Within the context of this relevant appeal history, the main issue for consideration in this case is the impact of the window and rooflight to serve bedroom 4.

Character and Appearance

- 11.7 The Inspector confirmed that the proposed timber cladding was acceptable, Concern has been expressed in relation to the proposed finish to the cladding given the provision of a black stained timber fence within the site. It has been confirmed that this will remain cedar coloured, and this can be secured by condition.
- 11.8 To the rear of the building, the proposed cladding to the lower part of the dormer would reflect the cladding to the rear elevation of the dwelling and would have a limited impact.
- 11.9 The proposed plans show a modest increase in height of the building is 0.2m. This increase relates to both the front/rear gable ridge and the ridge running parallel to the road. The approved scheme measured 7.0m and 6.8m and the drawings now indicate 7.2m and 7.0m respectively. Whilst the Inspector did not specifically discuss the increase in the ridge height he comments that there is no consistent scale and mass to the properties in the street. It is considered that this slight increase would have a minimal impact such that within its context it would not adversely affect the character of the area or street scene.

Living conditions

- 11.10 The reason for the appeal being dismissed was in respect to the unacceptable impact on the living condition of Bay Tree Cottage resulting from the size of the rooflight and window serving Bedroom 4 which the Inspector concluded would result in unacceptable overlooking. The Inspector's concern was that being clear glazed and opening, the rooflight caused material harm to the occupiers of the adjacent property, Bay Tree House. In order to address this concern, the current proposal indicates that this roof light would be fixed shut and obscure glazed. A planning condition could be imposed requiring this. The imposition of such a condition would address this concern and make this element of the proposal acceptable. Given that this element is retrospective the condition would be worded to require these changes to be made within a given time period.
- 11.11 This application proposes to reduce the size of the rear (west) bedroom window (bedroom 4) but enable it to be opened in order to provide both ventilation and a means of escape from this room. The plans indicate a rectangular casement window, reduced in width such that it is further away from the neighbouring property. In order to minimise the potential for overlooking from this window, the drawings also indicate the provision of a fin to the south of this window which would allow views over the applicant's own garden but which would restrict views towards the immediate neighbours'.
- 11.12 In considering the appeal, the Inspector noted that *'the fins/louvres proposed over much of the window would in effect substantially reduce the size of the window and set it further in from the boundary. This would significantly restrict views. Were the appeal to succeed conditions could*

be imposed in relation to the provision and retention of these features.' It is therefore considered that the proposed amendments to the rear window and provision of a fin would satisfactorily address the overlooking concerns, subject to a suitably worded condition to provide and retain this as suggested by the Inspector.

- 11.13 With regard to the changes to the fenestration in the outbuilding, those at ground floor level do not impact on residential amenity. The approved scheme included a full length window to the northern side elevation. This was not implemented and a small square window in the gable was provided instead. Internally, a mezzanine storage area has been provided and the window in the gable end is indicated as being obscure glazed to minimise any loss of privacy. This window is 6.2m from the boundary with Greenways with a flat roofed outbuilding between. It is therefore considered that the obscure glazing would address any concerns relating to overlooking. The obscure glazing of the window is a matter that can be controlled by a suitably worded condition.

Response to comments received:

- 11.14 Objections have been received from local residents in respect of residential amenity. One comment refers to the bedroom roof light suggesting it should be replaced. Whilst this is an option for the applicant, the proposal is to alter the existing window in order to achieve the same result which would address the concern highlighted by the Inspector.
- 11.15 Reference to the other roof lights in the south elevation resulting in overlooking has been made this matter was considered by the Inspector in the appeal decision, it was concluded that no harm was caused by these rooflights. Significant weight must be given to the conclusions of the Inspector in the recent appeal. It should also be noted that three of the larger roof lights were originally approved and there were no restrictive conditions relating to the provision of mezzanines/storage areas above first floor level within the dwelling.
- 11.16 The concern raised in respect of the proposed fin can be addressed through the imposition of a suitably worded condition to require further details of this to be submitted to ensure it will maintain privacy levels for the adjacent property, Bay Tree House.
- 11.17 Objections have been raised with regard to the outbuilding in terms of both overlooking and noise and disturbance. The changes to the outbuilding are not considered to give rise to any further noise and disturbance over and above the original scheme which allowed ancillary use of this structure.
- 11.18 The slight increase in height of the building (0.2m) is not considered to give rise to unacceptable impacts on residential amenity.

12 CONCLUSION ON THE PLANNING BALANCE

- 12.1 Overall, it is considered that the remaining changes and proposed alterations subject of this application fully address the outstanding concerns raised in the Inspector's appeal decision on the previous application. Subject to suitably worded conditions, the proposal would remove the current level of harm to residential properties whilst having a limited impact on the visual amenities of the area.

As such, a variation of condition on the basis of the current proposals is recommended for approval.

13 OTHER CONSIDERATIONS

Proactive Working Statement

In accordance with paragraph 38 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants.

The application follows a dismissed appeal and whilst some clarification regarding proposed changes to a window opening were required, all the above apply and as the application was acceptable no specific further actions were required.

Crime and Disorder

None

Local Finance

Regulation 42 of the CIL Regulations 2010 (as amended) states that CIL will be applicable to all applications over 100sqm GIA and those that create a new dwelling. The original application was CIL exempt and although the floor space in this case is slightly larger, the exemption carries over from the previous scheme. Based on the information provided at the time of this report this development has a CIL liability of £0.00.

Human Rights

In coming to this recommendation, consideration has been given to the rights set out in Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to peaceful enjoyment of possessions) of the European Convention on Human Rights. Whilst it is recognised that there may be an interference with these rights and the rights of other third parties, such interference has to be balanced with the like rights of the applicant to develop the land in the way proposed. In this case it is considered that the protection of the rights and freedoms of the applicant outweigh any possible interference that may result to any third party.

Equality

The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty *inter alia* when determining all planning applications. In particular the Committee must pay due regard to the need to:

- (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

CIL Summary Table

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargeable Floorspace (sq/m)	Rate	Total
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Self Build (CIL Exempt)	259	134	125	125	£80/sqm	£12,230.77*
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Subtotal:	£12,230.77
Relief:	£12,230.77
Total Payable:	£0.00

* The formula used to calculate the amount of CIL payable allows for changes in building costs over time and is Index Linked using the All-in Tender Index Price published by the Build Cost Information Service (BICS) and is:

$Net\ additional\ new\ build\ floor\ space\ (A) \times CIL\ Rate\ (R) \times Inflation\ Index\ (I)$

Where:

A = the net area of floor space chargeable in square metres after deducting any existing floor space and any demolitions, where appropriate.

R = the levy rate as set in the Charging Schedule

I = All-in tender price index of construction costs in the year planning permission was granted, divided by the All-in tender price index for the year the Charging Schedule took effect. For 2019 this value is 1.22

14. RECOMMENDATION

GRANT the VARIATION of CONDITION

Proposed Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of the original permission (6 June 2017).

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. The development permitted shall be carried out in accordance with the

following approved plans: LP.01C, PP.01D, PL.01E, PE.02H, PE.01E, EP.01, EE.01A.

Reason: To ensure satisfactory provision of the development.

3. The following details shall be as agreed by the Council's discharge of condition decision notice dated 20 July 2018 under 17/10532 unless alternatives are previously submitted to, and approved in writing by, the Local Planning Authority:

- (a) the proposed colour of the render;
- (b) a specification for new planting along the front boundary (species, size and spacing);
- (c) a method and programme for its implementation and the means to provide for its future maintenance.

Reason: To ensure that the development takes place in an appropriate way and to comply with Policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

4. The slab levels in relationship to the existing ground levels shall be as agreed by the Council's discharge of condition decision notice dated 20 July 2018 under 17/10532.

Reason: To ensure that the development takes place in an appropriate way in accordance with policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

5. Within 2 months of the date of this permission, details of the proposed fin or louvre shall be submitted to, for approval in writing by, the Local Planning Authority. The details shall include size, materials, location and method of fixing the fin or louvre to the window or wall. Within 2 months from the approval of these details the fin or louvre shall be installed in accordance with the approved details. The development shall be fully implemented in accordance with the approved details and permanently maintained as such.

Reason: In the interest of residential amenity and in accordance with policy CS2 of the New Forest District Council Core Strategy.

6. Within 2 months from the date of this permission the roof light serving bedroom 4 should be fitted with obscure glass with a minimum obscurity of level 3 glazing and shall be fixed in a way that prevents opening. The first floor roof light to bedroom 4 on the south elevation of the approved dwelling shall at all times be glazed with obscure glass and fixed shut.

Reason: To safeguard the privacy of the adjoining neighbouring properties in accordance with policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

7. The outbuilding the subject of this permission shall only be used for ancillary

purposes in conjunction with the main dwelling on the site and not part of its main accommodation.

Reason: To protect the character and appearance of the countryside in accordance with Policy CS2 of the Local Plan for the New Forest District outside of the National Park (Core Strategy).

8. Within 3 months from the date of this permission the side window in the ancillary building shall be fitted with obscure glass with a minimum obscurity of level 3 and shall thereafter remain at all times with obscure glazing and fixed shut.

Reason: To safeguard the privacy of the adjoining neighbouring properties in accordance with policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

9. The cladding hereby approved shall not be treated or stained but left to weather naturally.

Reason: In the interests of the visual amenities of the area and in accordance with policy CS2 of the New Forest District Council Core Strategy.

10. The window serving bedroom 4 hereby approved shall be installed within 6 months from the date of this permission

Reason: To safeguard the privacy of the adjoining neighbouring properties in accordance with policy CS2 of the Local Plan for the New Forest District outside the National Park (Core Strategy).

Notes for inclusion on certificate:

1. In accordance with paragraph 38 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants.

The application follows a dismissed appeal and whilst some clarification regarding proposed changes to a window opening were required, all the above apply and as the application was acceptable no specific further actions were required.

2. This decision relates to amended / additional plans received by the Local Planning Authority on 18 June 2019.

Further Information:

Vivienne Baxter
Telephone: 023 8028 5588



New Forest DISTRICT COUNCIL

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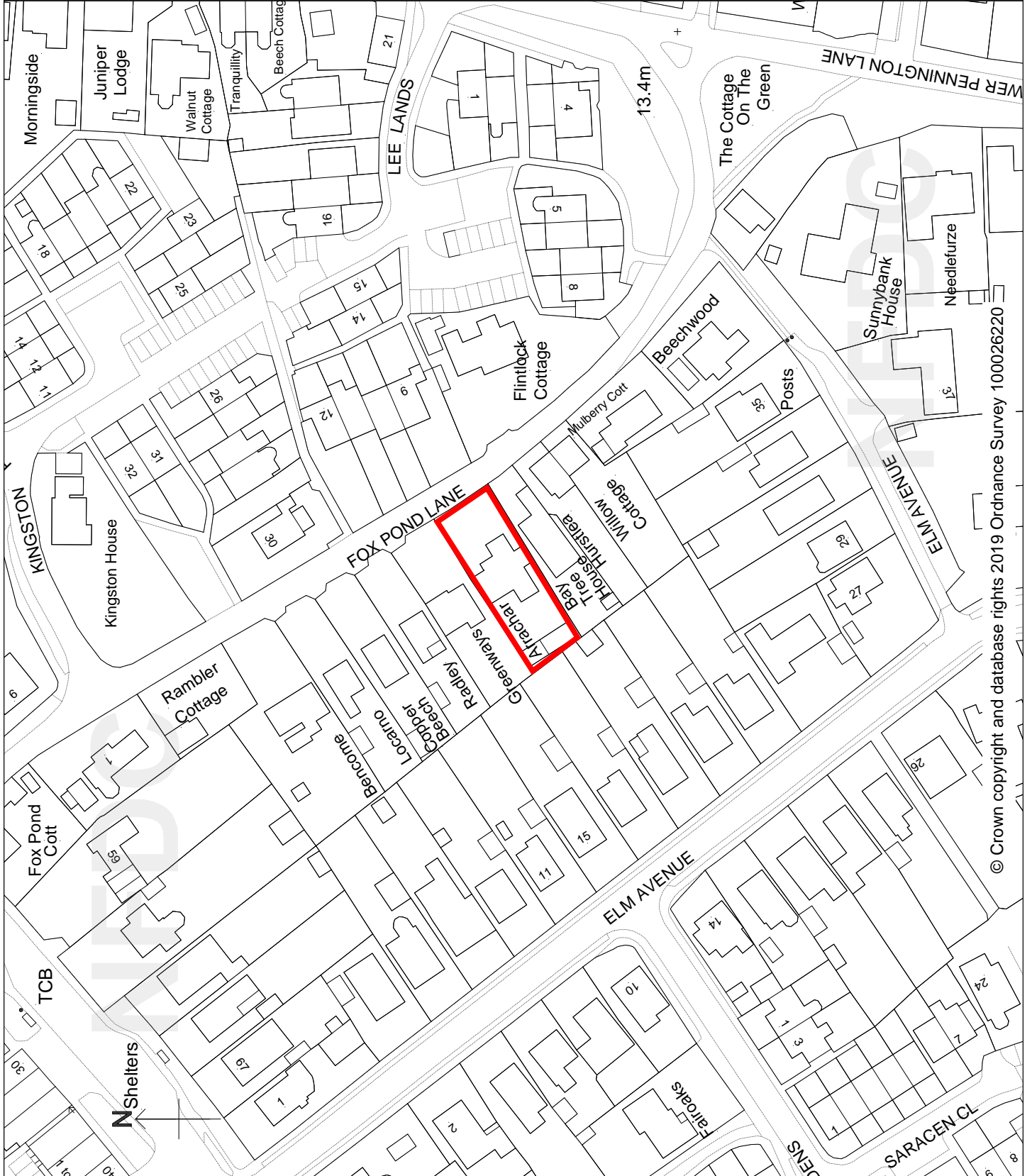
PLANNING COMMITTEE

August 2019

Item No: 3f
Site of Arracher
Fox Pond Lane
Pennington Lymington
19/10437

Scale 1:1250

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



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Application Number: 19/10300 Full Planning Permission

Site: PARSONAGE HOUSE, GREEN LANE, FORDINGBRIDGE
SP6 1JT

Development: Single-storey extension

Applicant: Mr Bartlett

Target Date: 09/05/2019

Extension Date: 20/08/2019

Link to case file: [view online here](#)

1 SUMMARY OF THE MAIN ISSUES

The following are considered to be the main issues to be taken into account when determining this application. These, and all other relevant considerations, are set out and considered in Section 11, of this report after which a conclusion on the planning balance is reached.

- 1) The acceptability of the proposed extension in terms of its design and its relationship to the listed building
- 2) Impact on the character and appearance of the Listed Building and the Fordingbridge Conservation Area

This matter is being considered by Committee as a contrary view has been expressed by the Town Council.

2 THE SITE

Parsonage House is a Grade II Listed Building set within the Fordingbridge Conservation Area. It is set within a large isolated site, which is well treed. It is located in an important site being associated with a moat, noted in the Historic England Register as being built within 1066-1539 and is on the site of Manor of Woodfidley; this is also an area of Archaeological Importance. The original part of the house dates from approximately 1665. There have been additions to the dwelling over the centuries, including the single storey structure on the rear elevation. The single storey structure, referred to as the boot room in the accompanying Heritage Statement, is likely to date from 1872 and originally formed part of a wraparound extension to the dwelling. The utility room adjacent to the existing back door is a more modern addition, though predates the more recent additions to the dwelling, of the single storey rear conservatory and attached garage with room over.

3 THE PROPOSED DEVELOPMENT

The proposal is for a single storey rear extension, which would replace an existing utility room. The replacement single storey extension would be wider, but would not extend out as far as the existing structure sited over the back door. The existing back door would be relocated to form the external door to the proposed extension.

There is a concurrent Listed Building application for the single storey rear

extension and rooflight which will also be considered by the Committee in August (item 3h).

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
19/10340 First floor rear extension; create opening through first floor gable wall (application for Listed Building Consent)		Current application	Item 3j
19/10339 First floor rear extension		Current application:	Item 3i
19/10301 Single storey extension; rooflight; demolition of existing single storey rendered extension (application for Listed Building Consent)		Current application	Item 3h
14/10895 Detached garage/store	13/08/2014	Granted Subject to Conditions	Decided
12/99362 Retention of tree house and decking; rope bridge; zip wire	08/01/2013	Granted	Decided
12/98999 Replacement garage with room over (Application for Listed Building Consent)	07/09/2012	Granted Subject to Conditions	Decided
12/98990 Replacement garage with room over	07/09/2012	Granted Subject to Conditions	Decided
12/98996 Single-storey rear extension (Application for Listed Building Consent)	14/09/2012	Granted Subject to Conditions	Decided
12/98983 Single-storey rear extension	14/09/2012	Granted Subject to Conditions	Decided
XX/RFR/01441 Erection of a double garage.	06/03/1952	Granted	Decided

5 THE DEVELOPMENT PLAN AND OTHER NFDC GUIDANCE

The Core Strategy

CS2: Design quality

CS3: Protecting and enhancing our special environment (Heritage and Nature Conservation)

Local Plan Part 2 Sites and Development Management Development Plan Document

DM1: Heritage and Conservation

DM2: Nature conservation, biodiversity and geodiversity

The Emerging Local Plan

SO3: Built environment and heritage
Policy 1: Achieving sustainable development
Policy 9: (saved policy DM2) Nature Conservation, biodiversity and geodiversity.
Policy 11: (saved policy DM1): Heritage and Conservation
Policy 13: Design quality and local distinctiveness

Supplementary Planning Guidance and other Documents

SPD - Fordingbridge Town Design Statement
SPG - Fordingbridge - A Conservation Area Appraisal

6 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Relevant Legislation

Section 66 General duty as respects listed buildings in exercise of planning functions.

Planning (Listed Buildings and Conservation Areas) Act 1990

NPPF Ch.12 - Achieving well-designed places

Paragraph 124

paragraph 127

NPPF Ch.15 - Conserving and enhancing the natural environment

Paragraph 170

Paragraph 174

NPPF Ch.16 - Conserving and enhancing the historic environment

Paragraph 189

Paragraph 193

Paragraph 196

Relevant Advice

National Planning Policy Guidance

Local planning authorities should only require ecological surveys where clearly justified, for example if they consider there is a reasonable likelihood of a protected species being present and affected by development. Assessments should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity.

7 PARISH / TOWN COUNCIL COMMENTS

Fordingbridge Town Council: recommend (PAR 3) permission as it makes the property neater and won't affect anyone else

8 COUNCILLOR COMMENTS

No comments received

9 CONSULTEE COMMENTS

The following is a summary of the representations received which can be read in full via the link set out at the head of this report.

Ecologist: the single storey rear extension would have minimal intervention to the roof, but recommend an informative note making the applicants aware of their

responsibilities in relation to potential presence of protected species.

Conservation: objection.

Relocation of historic door would result in a loss of context and subsequently loss of significance to the Listed Building. Rooflight potentially could date from Victorian era making it a historically interesting window. The proposed replacement rooflight does not contain integral glazing bars and would therefore result in an intrinsic change to the fabric and character of the Listed Building.

Archeologist: no objection subject to conditions

Because of the size and scale of the proposed development a reasonable approach, to meet the above Planning Conditions, would be an archaeological watching brief during the ground-works phase of the development. The written scheme of investigation (WSI) would need to provide for sufficient resources and time in the event that archaeological remains that merit recovery and recording can take place.

10 REPRESENTATIONS RECEIVED

None received

11 OFFICER COMMENTS

Introduction

- 11.1 The main issues when determining this application are in respect to whether this is an acceptable alteration to a listed building its impact on the character and appearance of the Fordingbridge Conservation Area. Further to this, consideration also needs to be given to the impact of the extension on neighbouring properties and any ecological interests.

Relevant Considerations

Design and appearance and impact on listed building

- 11.2 The National Planning Policy Framework 2019 Chapter 12 "Achieving well designed places" acknowledges (in Para 124) that the creation of a high quality built environment is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development in creating better places to live and work. Being clear about design expectations is essential to achieving this goal.
- 11.3 Para 127 of the NPPF requires development to be sympathetic to local character, respect surrounding built environment and maintain a strong sense of place in terms of building gaps, spaces and materials.
- 11.4 Parsonage House is a Grade II Listed Building, which is located in the Fordingbridge Conservation Area. The Fordingbridge Conservation Area Assessment identifies the moat and fishpond formerly of Woodfidley Rectory Manor at Parsonage Farm as being designated as 'area of national archeological importance'.
- 11.5 Pre application advice was sought on the replacement single storey rear extension. The extension has been reduced in height in accordance with advice given.

- 11.6 However, despite the scale of the proposal being considered acceptable, the proposed rear extension would also include the relocation of the existing back door. The listing description for Parsonage House states that the: 'entrance front of the C17 part was on what is now the rear side'. The agent also makes reference to this in his response to the Conservation Officer's comments (dated 24 May 2019). The door has some age to it, being of plank and batten construction which is a style of door dating from the 19th Century.
- 11.7 Paragraph 193 of the NPPF states that great weight should be given to an asset's conservation and although not explicitly stated, part of what makes a Listed Building significant is its historic fabric. The importance of historic fabric is that it remains in a good condition in its original place. Although moving the historic fabric to new locations within a building does preserve the item concerned, it would be out of context and would result in a loss of significance to the character of the Listed Building. The agent has put forward an argument that to retain the door in this location would be impractical in relation to the use of the new extension, however the significance of the Listed Building is paramount and there is no justification for the proposed change.
- 11.8 S66 (i) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 11.9 Para 189 provides guidance on the requirement of information describing the significance of any heritage assessment, including any contribution made by their setting. At Para 190 it states that local planning authorities should identify and assess the particular significance of any heritage asset that maybe affected by a proposal and that this should be taken into account when considering the impact of the proposal on the heritage asset. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset local planning authorities should refuse consent unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefit.

Impact on the character and appearance of the Fordingbridge Conservation Area

- 11.10 The current door (which potentially dates from the 19th Century) forms part of the historic fabric of the Listed Building and therefore contributes to the character and significance of the Listed Building. No detailed analysis has been provided by the agent to date the existing door or provide sufficient justification as to its relocation.

The relocation of the door would take it out of its historic context. As such, it would impact on the Listed Building's ability to contribute positively to the character of the Fordingbridge Conservation Area. Consequently the proposed relocation of the door would cause less than substantial harm to the Listed Building and therefore would fail to preserve or enhance the character of the Conservation Area.

Ecology

- 11.11 Para 170 of the NPPF requires development to contribute and enhance

the natural environment by minimising impacts on and providing net gains for biodiversity. Para 174 of the NPPF relates to the importance of protecting and enhancing biodiversity.

11.12 The environs of the site are conducive to the presence of protected species, especially bats and nesting birds, and with waterbodies and tree cover in close proximity the site meets the criteria established nationally and used in Natural England's standing advice.

11.13 The proposed works would only minimally interfere with the existing roof structure of the building and therefore in this case it would not be necessary for a survey to be undertaken. However, the applicant would still have legal responsibilities with regard to protected species.

Neighbour Amenity

11.14 By virtue of its secluded setting, the proposed extension would not impact upon neighbour amenity.

12 CONCLUSION ON THE PLANNING BALANCE

12.1 The proposals have been considered within the relevant local and national policy context. The proposed relocation of the door would detrimentally impact upon the significance of the Listed Building, and even though this is only part of the proposal, the harm would outweigh the benefits to the applicant. As such the proposals are not justified and are recommended for refusal.

13 OTHER CONSIDERATIONS

Crime and Disorder

None relevant

Local Finance

From the 6 April 2015 New Forest District Council began charging the Community Infrastructure Levy (CIL) on new residential developments.

Regulation 42 of the CIL Regulations 2010 (as amended) states that CIL will be applicable to all applications over 100sqm GIA and those that create a new dwelling. The development is under 100 sq metres and is not for a new dwelling and so there is no CIL liability in this case.

Human Rights

In coming to this recommendation, consideration has been given to the rights set out in Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to peaceful enjoyment of possessions) of the European Convention on Human Rights. Whilst it is recognised that this recommendation, if agreed, may interfere with the rights and freedoms of the applicant to develop the land in the way proposed, the objections to the planning application are serious ones and cannot be overcome by the imposition of conditions. The public interest and the rights and freedoms of neighbouring property owners can only be safeguarded by the refusal of permission.

Equality

The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty *inter alia* when determining all planning applications. In particular the Committee must pay due regard to the need to:

- (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

14. RECOMMENDATION

Refuse

Reason(s) for Refusal:

1. The relocation of the external door would result in the loss of its context thereby causing a loss of significance to the Listed Building. As such, this development would be contrary to Policy S3 of the Core Strategy for the New Forest District outside the National Park, DM1 of the Local Plan Part 2: Sites and Development Management Plan and the National Planning Policy Framework.

Notes for inclusion on certificate:

1. In accordance with paragraph 38 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants.

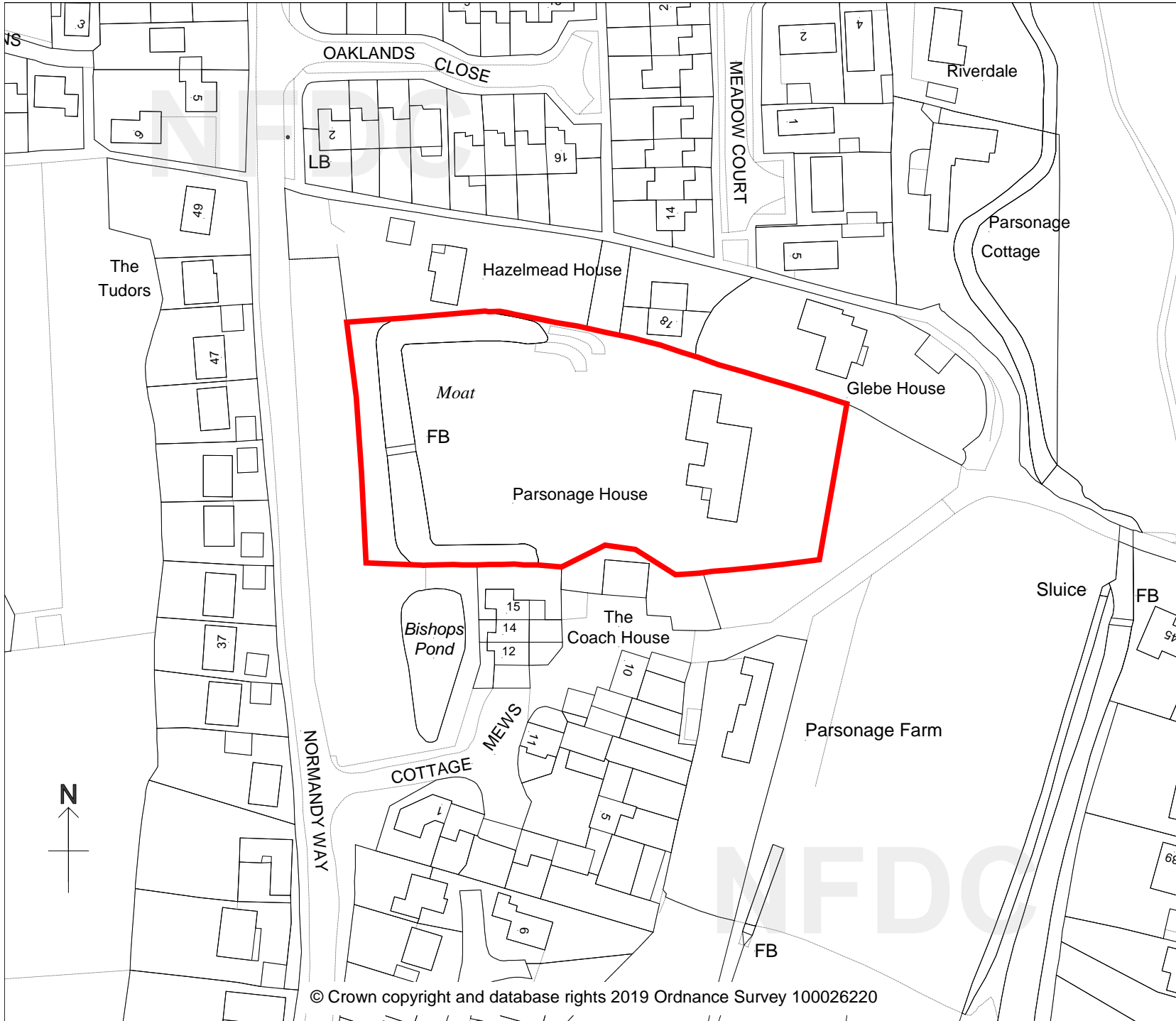
Pre application advice was sought prior to the application being submitted, however the advice given did not support an extension in this position. Notwithstanding this, an application has been submitted. The application has

been judged on its merits, but sufficient justification has not been provided for the works and therefore is not supportable. An extension of time was agreed to allow corrections to the plans to be submitted, but these did not alter the overall scheme or provide acceptable further justification for the works. As the application now falls to be determined, there is demonstrable harm to the designated heritage asset a refusal is justified in this case.

Further Information:

Kate Cattermole

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PLANNING COMMITTEE

August 2019

Item No: 3g/3h/3i/3j
Parsonage House
Green Lane
Fordingbridge
19/10300 -10301-10339 -10340

Scale 1:1250
N.B. If printing this plan from the internet, it will not be to scale.

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Planning Committee 14 August 2019 **Item 3 h**

Application Number: 19/10301 Listed Building Alteration

Site: PARSONAGE HOUSE, GREEN LANE, FORDINGBRIDGE
SP6 1JT

Development: Single-storey extension; roof light; demolition of existing rendered single storey rear extension (Application for Listed Building Consent)

Applicant: Mr Bartlett

Target Date: 09/05/2019

Extension Date: 20/08/2019

Link to case file: [view online here](#)

1 SUMMARY OF THE MAIN ISSUES

The following issue is considered to be the main issue to be taken into account when determining this application. This and all other relevant considerations, are set out and considered in Section 11, of this report after which a conclusion on the planning balance is reached.

- 1) the impact on the Listed Building

This matter is being considered by Committee as a contrary view has been expressed by the Town Council.

2 THE SITE

Parsonage House is a Grade II Listed Building set within the Fordingbridge Conservation Area. It is set within a large isolated site, which is well treed. It is located in an important site being associated with a moat, noted in the Historic England Register as being built within 1066-1539 and is on the site of Manor of Woodfidley; this is also an area of Archaeological Importance. The original part of the house dates from approximately 1665. There have been additions to the dwelling over the centuries, including the single storey structure on the rear elevation. The single storey structure, referred to as the boot room in the accompanying Heritage Statement, is likely to date from 1872 and originally formed part of a wraparound extension to the dwelling. The utility room adjacent to the existing back door is a more modern addition, though predates the more recent additions to the dwelling, of the single storey rear conservatory and attached garage with room over.

3 THE PROPOSED DEVELOPMENT

The proposed development is to demolish an existing single storey extension, and replace it with a new single storey extension of altered footprint. This would include relocating the existing rear door into the outside wall of the new extension. The proposal also includes the replacement of an existing rooflight which is sited on the rear elevation above the proposed extension.

There is an amended planning application for a single storey extension (item 3g on this agenda).

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
19/10340 First floor rear extension; create opening through first floor gable wall (application for Listed Building Consent)			Item 3j
19/10339 First floor rear extension			Item 3i
19/10300 Single-storey extension; roof light			Item 3g
14/10895 Detached garage/store	13/08/2014	Granted Subject to Conditions	Decided
12/99362 Retention of tree house and decking; rope bridge; zip wire	08/01/2013	Granted	Decided
12/98999 Replacement garage with room over (Application for Listed Building Consent)	07/09/2012	Granted Subject to Conditions	Decided
12/98990 Replacement garage with room over	07/09/2012	Granted Subject to Conditions	Decided
12/98996 Single-storey rear extension (Application for Listed Building Consent)	14/09/2012	Granted Subject to Conditions	Decided
12/98983 Single-storey rear extension	14/09/2012	Granted Subject to Conditions	Decided
XX/RFR/01441 Erection of a double garage.	06/03/1952	Granted	Decided

5 THE DEVELOPMENT PLAN AND OTHER NFDC GUIDANCE

The Core Strategy

CS3: Protecting and enhancing our special environment (Heritage and Nature Conservation)

Local Plan Part 2 Sites and Development Management Development Plan Document

DM1: Heritage and Conservation

The Emerging Local Plan

SO3: Built environment and heritage
Policy 11(saved policy DM1): heritage and Conservation
Policy 13: Design quality and local distinctiveness

Supplementary Planning Guidance and other Documents

SPG - Fordingbridge - A Conservation Area Appraisal
SPD - Fordingbridge Town Design Statement

6 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Relevant Legislation

National Planning Policy Framework:NPPF
NPPF Ch.16 - Conserving and enhancing the historic environment

paras 189,193 and 196

7 PARISH / TOWN COUNCIL COMMENTS

Fordingbridge Town Council: recommend (PAR 3) permission as it makes the property neater and won't affect anyone else

8 COUNCILLOR COMMENTS

No Comments Received

9 CONSULTEE COMMENTS

The following is a summary of the representations received which can be read in full via the link set out at the head of this report.

Wessex Water: no comment

Conservation: objection. loss of historic rooflight not justified. Relocation of timber external door would be out of context. Therefore these changes would result in a loss of significance to the character of the Listed Building.

10 REPRESENTATIONS RECEIVED

None received

11 OFFICER COMMENTS

Introduction

11.1 The principle matter to consider with this application is the impact of the proposed alterations on the Listed Building.

11.2 The associated planning application (19/10300) is considered acceptable and has been approved under delegated powers.

Relevant Considerations

Impact on the listed building

11.3 Section 66 of the Planning(Listed Building and Conservation Areas) Act 1990 places a legal duty on the local planning authority when considering applications for development which affect a listed building or its setting to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

11.4 Para 189 provides guidance on the requirement of information describing the significance of any heritage assessment, including any contribution made by their setting.

11.65 Para 193 stresses that great weight should be given to the assets conservation.

11.6 At para 196 of the NPPF the guidance states that when the proposal will lead to less than substantial harm to the designated heritage asset, this

harm should be weighed against the public benefits of the proposal.

- 11.7 When considering a scheme for this Grade II Listed Building, it is important that it pays due regard to the historic fabric of the existing building. It is also important that any changes do not result in a loss of significance to the heritage asset, regardless of whether or not this alteration will be visible from a public vantage point.
- 11.8 There is an existing utility room in a small courtyard area, projecting from the original back wall of the dwelling. This existing structure is a rendered addition with felt roof, that is connected to the main roof of the house just above the eaves. It has a modest footprint, sitting between the back door and the side wall of a single storey structure which forms the existing kitchen. Even though not a modern addition, the existing utility room does not form part of the historic fabric of the building and its removal would be an enhancement to the Listed Building.

Extension

- 11.9 Pre application advice was sought on the replacement single storey rear extension. The extension has been reduced in height in accordance with advice given, which is an improvement over what was originally submitted.
- 11.10 The proposed rear extension would also include the relocation of the existing back door, to the external wall of the new extension. The listing description for Parsonage House states that the: 'entrance front of the C17 part was on what is now the rear side'. The agent also makes reference to this in his response to the Conservation Officer's comments (dated 24 May 2019). The door has some age to it, and potentially could have been the original front door to the house.

Impact on the character and appearance of the Fordingbridge Conservation Area

- 11.11 The current door (which potentially dates from the 19th Century) forms part of the historic fabric of the Listed Building and therefore contributes to the character and significance of the Listed Building. No detailed analysis has been provided by the agent to date the existing door or provide sufficient justification as to its relocation.

The relocation of the door would take it out of its historic context. As such, it would impact on the Listed Building's ability to contribute positively to the character of the Fordingbridge Conservation Area. Consequently the proposed relocation of the door would cause less than substantial harm to the Listed Building and therefore would fail to preserve or enhance the character of the Conservation Area.

Paragraph 193 of the NPPF states that great weight should be given to an asset's conservation and although not explicitly stated, part of what makes a Listed Building significant is its historic fabric. The importance of historic fabric is that it remains in a good condition in its original place. Moving historic fabric to new locations within a building does preserve the item concerned, but it can be out of context and results in a loss of significance to the character of the Listed Building. The door that is proposed to be moved to a new location on the exterior of the porch extension would create this exact situation, as it would result in a loss of context for the historic door. While the door would be preserved, its

context would be lost and this in turn would result in a loss of significance to the Listed Building. The agent has put forward an argument that to retain the door in this location would be impractical in relation to the use of the new extension, however the significance of the Listed Building is paramount and there is no justification for the proposed change.

Rooflight

- 11.12 The existing rooflight is a 9 pane rooflight with integral glazing bars and a timber surround. By virtue of its materials and design, the existing rooflight could potentially date from the Victorian era, and consequently be an historically interesting window that is important to the character and significance of the Listed Building.
- 11.13 A report has been submitted by a glass and glazing specialist who has advised that the surround of the rooflight is corroding, putty is breaking down and the flashing is perishing. Furthermore, the glass in the window does not meet current legal requirements, and instead needs to be replaced with toughened or laminated glass for the safety of the occupants. It further states that the rooflight is sited in a landing area, and if broke could cause injury to the occupants.
- 11.14 No information has been provided with the application to date the rooflight or challenge the Conservation Officer's view that this is a historic rooflight. The poor condition of the existing rooflight is accepted, however it is considered that it could be repaired and the existing glass replaced with modern safety glass thereby preserving historic fabric within the building.
- 11.15 It is proposed to replace this rooflight with a modern velux heritage rooflight dissected by two vertical bars, and a section has been provided to show that it would be flush with the roof plane. However, this would not have integral glazing bars and would result in an intrinsic change to the fabric and character of the Listed Building.
- 11.16 The loss of the existing rooflight would therefore result in a less than substantial harm to the significance of the Listed Building. Even though public safety issues have been cited, the glass could be replaced with modern glass which complies with regulations. Rather than replace the rooflight. Therefore, there are no public benefits that would outweigh this loss of historic fabric.

12 CONCLUSION ON THE PLANNING BALANCE

- 12.1 The proposals have been considered within the relevant local and national policy context. The proposed development would result in less than substantial harm to the significance of the Listed Building. The benefits of these changes to the applicant are outweighed by the harm to the Listed Building that would result in the proposed development. As such, the proposals are not justified and recommended for refusal.

13 OTHER CONSIDERATIONS

Crime and Disorder

None relevant

Local Finance

Not relevant

Human Rights

In coming to this recommendation, consideration has been given to the rights set out in Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to peaceful enjoyment of possessions) of the European Convention on Human Rights. Whilst it is recognised that this recommendation, if agreed, may interfere with the rights and freedoms of the applicant to develop the land in the way proposed, the objections to the planning application are serious ones and cannot be overcome by the imposition of conditions. The public interest and the rights and freedoms of neighbouring property owners can only be safeguarded by the refusal of permission.

Equality

The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty *inter alia* when determining all planning applications. In particular the Committee must pay due regard to the need to:

- (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

14. RECOMMENDATION

REFUSE LISTED BUILDING CONSENT

Reason(s) for Refusal:

1. The proposed development would result in the loss of the existing rooflight, which by virtue of its age forms part of the historic fabric of the Listed Building. Furthermore, the relocation of the rear external door would result in the loss of its context thereby causing a loss of significance to the Listed Building.

There is no justification for the loss of the rooflight or the relocation of the door, and these changes would result in less than substantial harm to the character and significance of the Listed Building. This development would be contrary

to PolicyCS3 of the Core Strategy for the New Forest District outside the National Park, DM1 of the Local Plan Part 2: Sites and Development Management Plan, and 16 of the National Planning Policy Framework.

Notes for inclusion on certificate:

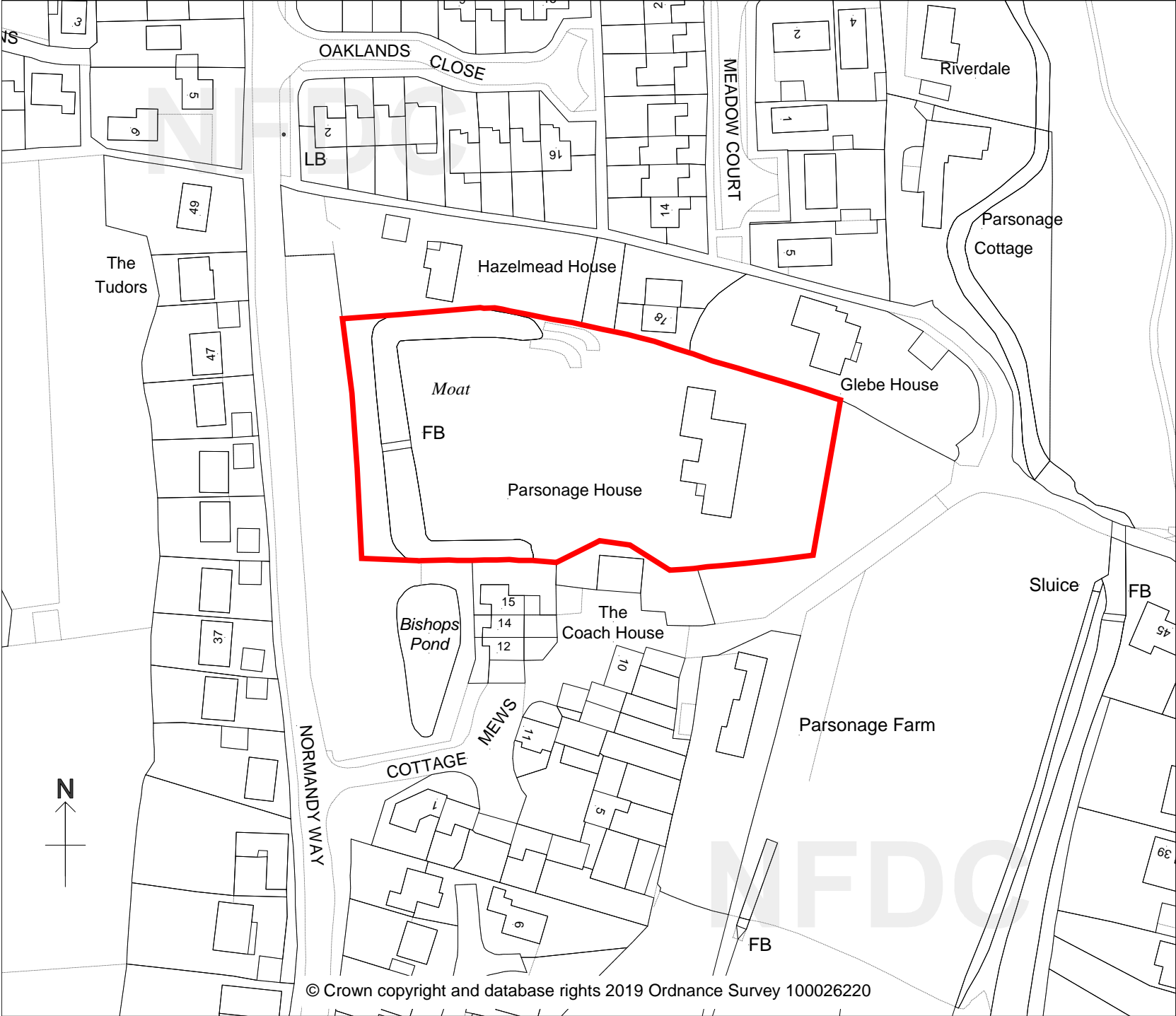
1. In accordance with paragraph 38 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants.

Pre application advice was sought prior to the application being submitted, however the advice given did not support an extension in this position. Notwithstanding this, an application has been submitted. The application has been judged on its merits, but sufficient justification has not been provided for the works and therefore is not supportable. An extension of time was agreed to allow corrections to the plans to be submitted, but these did not alter the overall scheme or provide acceptable further justification for the works. As the application now falls to be determined, there is demonstrable harm to the designated heritage asset a refusal is justified in this case.

Further Information:

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New Forest

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Claire Upton-Brown
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 Appletree Court
 Lyndhurst
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PLANNING COMMITTEE

August 2019

Item No: 3g/3h/3i/3j
 Parsonage House
 Green Lane
 Fordingbridge
 19/10300 -10301-10339 -10340

Scale 1:1250
 N.B. If printing this plan from the internet, it will not be to scale.

Application Number: 19/10339 Full Planning Permission

Site: PARSONAGE HOUSE, GREEN LANE, FORDINGBRIDGE
SP6 1JT

Development: First-floor rear extension.

Applicant: Mr Bartlett

Target Date: 09/05/2019

Extension Date: 20/08/2019

Link to case file: [view online here](#)

1 SUMMARY OF THE MAIN ISSUES

The following are considered to be the main issues to be taken into account when determining this application. These, and all other relevant considerations, are set out and considered in Section 11, of this report after which a conclusion on the planning balance is reached.

- (1) The acceptability of the proposed extension in terms of its design
- (2) Impact on the character and appearance of the Listed Building and Fordingbridge Conservation Area
- (3) Ecology

This matter is being considered by Committee as a contrary view has been expressed by the Town Council.

2 THE SITE

Parsonage House is a Grade II Listed Building set within the Fordingbridge Conservation Area. It is set within a large isolated site, which is well treed. It is located in an important site being associated with a moat, noted in the Historic England Register as being built within 1066-1539 and is on the site of Manor of Woodfidley; this is also an area of Archaeological Importance. The original part of the house dates from approximately 1665. There have been additions to the dwelling over the centuries, including the single storey structure on the rear elevation. This single storey structure, referred to as the boot room in the accompanying Heritage Statement, is likely to date from 1872 and originally formed part of a wraparound extension to the dwelling. There have also been recent additions to the dwelling, in the form of a single storey rear conservatory and attached garage with room over.

3 THE PROPOSED DEVELOPMENT

The proposal is for a first floor extension, that would continue the line of the existing rear gable with a glazed end elevation. The extension would be over an existing single storey structure possibly dating from 1875.

There is an associated Listed Building current application (item 3j on this agenda).

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
19/10340 First floor rear extension; create opening through first floor gable wall (Application for Listed Building Consent)			Item 3j
19/10300 Single-storey extension; roof light			Item 3g
19/10301 Single-storey extension; roof light (Application for Listed Building Consent)			Item 3h
14/10895 Detached garage/store	13/08/2014	Approved	
12/99362 Retention of tree house and decking; rope bridge; zip wire	08/01/2013	Approved	
12/98999 Replacement garage with room over (Application for Listed Building Consent)	07/09/2012	Approved	
12/98990 Replacement garage with room over	07/09/2012	Approved	
12/98996 Single-storey rear extension (Application for Listed Building Consent)	14/09/2012	Approved	
12/98983 Single-storey rear extension	14/09/2012	Approved	
XX/RFR/01441 Erection of a double garage.	06/03/1952	Approved	

5 THE DEVELOPMENT PLAN AND OTHER NFDC GUIDANCE

The Core Strategy

CS2: Design quality

CS3: Protecting and enhancing our special environment (Heritage and Nature Conservation)

Local Plan Part 2 Sites and Development Management Development Plan Document

DM1: Heritage and Conservation

DM2: Nature conservation, biodiversity and geodiversity

The Emerging Local Plan

SO3: Built environment and heritage

Policy 1: Achieving sustainable development

Policy 9: (saved policy DM2) Nature Conservation, biodiversity and geodiversity.

Policy 11: (saved policy DM1): Heritage and Conservation

Policy 13: Design quality and local distinctiveness

Supplementary Planning Guidance and other Documents

SPG - Fordingbridge - A Conservation Area Appraisal

SPD - Fordingbridge Town Design Statement

6 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Relevant Legislation

National Planning Policy Framework:

NPPF Ch.12 - Achieving well-designed places

paras 124 and 127

NPPF Ch.15 - Conserving and enhancing the natural environment

paras 170 and 174

NPPF Ch.16 - Conserving and enhancing the historic environment

paras 189,193 and 196

7 PARISH / TOWN COUNCIL COMMENTS

Fordingbridge Town Council: Recommend (PAR 3) permission as it will make the property more uniform and it won't affect anyone else

8 COUNCILLOR COMMENTS

No comments received

9 CONSULTEE COMMENTS

The following is a summary of the representations received which can be read in full via the link set out at the head of this report.

New Forest Ecologist - objection. No ecological survey has been submitted to evaluate the risks to protected species and any mitigation required.

NFDC Conservation - Objection. The proposed extension would be harmful to the historic integrity of the Listed Building and thereby harmful to the Conservation Area.

10 REPRESENTATIONS RECEIVED

None received

11 OFFICER COMMENTS

Introduction

11.1 The main issues when determining this application is in respect of the impact of the proposed extension on the character and appearance of the Listed Building and Fordingbridge Conservation Area and Ecology. Further to this, consideration also needs to be given to the impact on of the proposed extension on neighbouring properties .

Relevant Considerations

Impact on the character and appearance of the Listed Building and Fordingbridge Conservation Area

11.2 The National Planning Policy Framework 2019 Chapter 12 "Achieving well designed places" acknowledges (in Para 124) that the creation of a high quality built environment is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development in creating better places to live and work. Being clear about design expectations is essential to achieving this goal.

- 11.3 Para 127 of the NPPF requires development to be sympathetic to local character, respect surrounding built environment and maintain a strong sense of place in terms of building gaps, spaces and materials.
- 11.4 Para 189 provides guidance on the requirement of information describing the significance of any heritage assessment, including any contribution made by their setting. In areas described as having archaeological importance at a minimum a desk based study would be required.
- 11.5 Para 193 stresses that great weight should be given to the assets conservation.
- 11.6 At para 196 of the NPPF, the guidance states that when the proposal will lead to less than substantial harm to the designated heritage asset, this harm should be weighed against the public benefits of the proposal.
- 11.7 Parsonage House is a Grade II Listed Building, which is located in the Fordingbridge Conservation Area. The Fordingbridge Conservation Area Assessment identifies the moat and fishpond (formerly of Woodfidley Rectory Manor) at Parsonage Farm as being designated as 'area of national archeological importance'.
- 11.8 When considering this scheme which relates to a heritage asset (being both the Listed Building and the Conservation Area) it is important that the form, scale and mass of the existing dwelling is respected. It is also important that any changes do not result in a loss of significance to the heritage asset regardless of whether or not this alteration will be visible from a public vantage point.
- 11.9 The existing dwelling has been the subject of earlier additions. Most of these additions are historic, adding to the character and significance of this building, which makes an important contribution to the Conservation Area.
- 11.10 The proposed first floor addition would be over an earlier extension, possibly dating from 1872. It is questionable whether the foundations would be sufficient to support a further extension without significant structural interventions, but this has not been addressed in the submitted application. The new roof of the proposed first floor extension would link to the old roof, altering the overall appearance of the building and adding to the bulk and mass of the building. Whereas currently the chimney stack is sited on the end of the gable, the addition would result in the chimney being isolated and incongruous within the extended roof, further undermining the historic integrity of the building.
- 11.11 The proposed first floor extension has been designed to be an obvious modern addition to the property, and would mimic the same architectural style of the conservatory. whilst this approach was considered to be an appropriate approach for the conservatory that was granted planning permission in 2012(?) this is not considered to be appropriate for a first floor extension to the rear of the dwelling. It is considered that t this would result in a more suburban style of architecture which would not reflect the traditional, rural appearance of the building. The addition of a further extension would increase the scale and mass of the building which would have a cumulative effect , resulting in an unacceptable impact upon the historic scale and form of the building and erode its

architectural integrity.

- 11.12 Development proposals should preserve or enhance the character and appearance of a Conservation Area. Consequently development that is identified as being harmful to the character and appearance of the Listed Building is also considered to be harmful to the Fordingbridge Conservation Area, regardless of whether it is visible from views within the public realm. As such there would be less than substantial harm to the character and appearance of the Fordingbridge Conservation Area, resulting from the proposed development. The existing dwelling is a 5 bedroom property, and the extension would create an additional bedroom. Even though this would be of benefit to the applicants, it would not outweigh the harm caused to the Listed Building and Fordingbridge Conservation Area set out in the provision of the NPPF Para 196 .
- 11.13 Even though the site has archaeological importance, no desk based study has been provided. However, as the proposal is for a first floor extension it would not break ground, therefore the lack of this information in this instance raises no objection.

Ecology

- 11.14 Para 170 of the NPPF requires development to contribute and enhance the natural environment by minimising impacts on and providing net gains for biodiversity. Para 174 of the NPPF relates to the importance of protecting and enhancing biodiversity.
- 11.15 The environs of the site are conducive to the presence of protected species, especially bats and nesting birds, and with waterbodies and tree cover in close proximity the site meets the criteria established nationally and used in Natural England's Standing Advice.
- 11.16 The proposed works would interfere with the existing roof structure of the building. The affected area potentially possesses suitable features to support roosting bats and possibly nesting birds. The proposal would require activities, which would temporarily remove the features, potentially lead to permanent loss of access and lead to general noise and physical disturbance. These may constitute criminal offences if places of rest for bats or nesting sites for birds are present.
- 11.17 An ecology report was requested during the course of the application, but this has not been submitted. However, without suitable survey work and information, it is not possible for the Council to demonstrate that the proposal is in accordance with Policy CS3 and DM2 and therefore cannot discharge its legal duties. The work identified as required was not overly onerous, but without an appropriate report the Ecologist is objecting to the application, and as such refusal for this reason is recommended.

Neighbour Amenity

- 11.18 By virtue of its secluded setting, the proposed extension would not impact upon neighbour amenity.

CONCLUSION ON THE PLANNING BALANCE

- 12.1 The proposals have been considered within the relevant local and

national policy context. The proposed development would result in harmful additions to the Listed Building which would consequently detract from the character and appearance of the Fordingbridge Conservation Area. Furthermore, the impact on protected species has not been considered nor information provided on any potential mitigation

12.2 Notwithstanding there is no impact upon neighbour amenity, the harm to the Listed Building and Conservation Area and potential ecology impacts without adequate mitigation, outweighs the individual benefits to the applicant.

13 OTHER CONSIDERATIONS

Crime and Disorder

None relevant

Local Finance

Regulation 42 of the CIL Regulations 2010 (as amended) states that CIL will be applicable to all applications over 100sqm GIA and those that create a new dwelling. Whilst the development is over 100sqm GIA under Regulation 42A developments within the curtilage of the principal residence and comprises up to one dwelling are exempt from CIL. As a result, no CIL will be payable provided the applicant submits the required exemption form.

Human Rights

In coming to this recommendation, consideration has been given to the rights set out in Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to peaceful enjoyment of possessions) of the European Convention on Human Rights. Whilst it is recognised that this recommendation, if agreed, may interfere with the rights and freedoms of the applicant to develop the land in the way proposed, the objections to the planning application are serious ones and cannot be overcome by the imposition of conditions. The public interest and the rights and freedoms of neighbouring property owners can only be safeguarded by the refusal of permission.

Equality

The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty inter alia when determining all planning applications. In particular the Committee must pay due regard to the need to:

- (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

14. RECOMMENDATION

Refuse

Reason(s) for Refusal:

1. The proposed first floor extension would increase the scale and mass of the building, and in addition to previous extensions would detract from the architectural integrity of this building by making a further cumulative change to the original form of the Listed Building. Furthermore, the modern design of the extension would detract from the traditional rural appearance of the building. This inappropriate addition would be harmful to the character and appearance of the Listed Building, which would consequently adversely impact upon the Fordingbridge Conservation Area. This would be contrary to Policies CS2 and CS3 of the Core Strategy for the New Forest District outside the National Park, DM1 of the Local Plan Part 2: Sites and Development Management Plan, and Chaps 12 and 16 of the National Planning Policy Framework.
2. In the absence of any ecological information to assist the Council to assess the impacts of the proposal on protected species, the planning authority cannot ensure any unavoidable impacts upon nature conservation interest are appropriately mitigated. This would be contrary to the provisions of Policy CS3 of the Core Strategy for the New Forest District outside the National Park, Policy DM2 of the Local Plan Part 2: Sites and Development Management Plan, and Chap 15 of the National Planning Policy Framework

Notes for inclusion on certificate:

1. In accordance with paragraph 38 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants.

Pre application advice was sought prior to the application being submitted, however the advice given did not support an extension in this position. Notwithstanding this, an application has been submitted. The application has been judged on its merits, but sufficient justification has not been provided for the works and therefore is not supportable. An extension of time was agreed to allow corrections to the plans to be submitted, but these did not alter the overall scheme or provide further justification for the works. Furthermore, even though an ecology report was requested, it was advised that this would not be forthcoming. As the application now falls to be

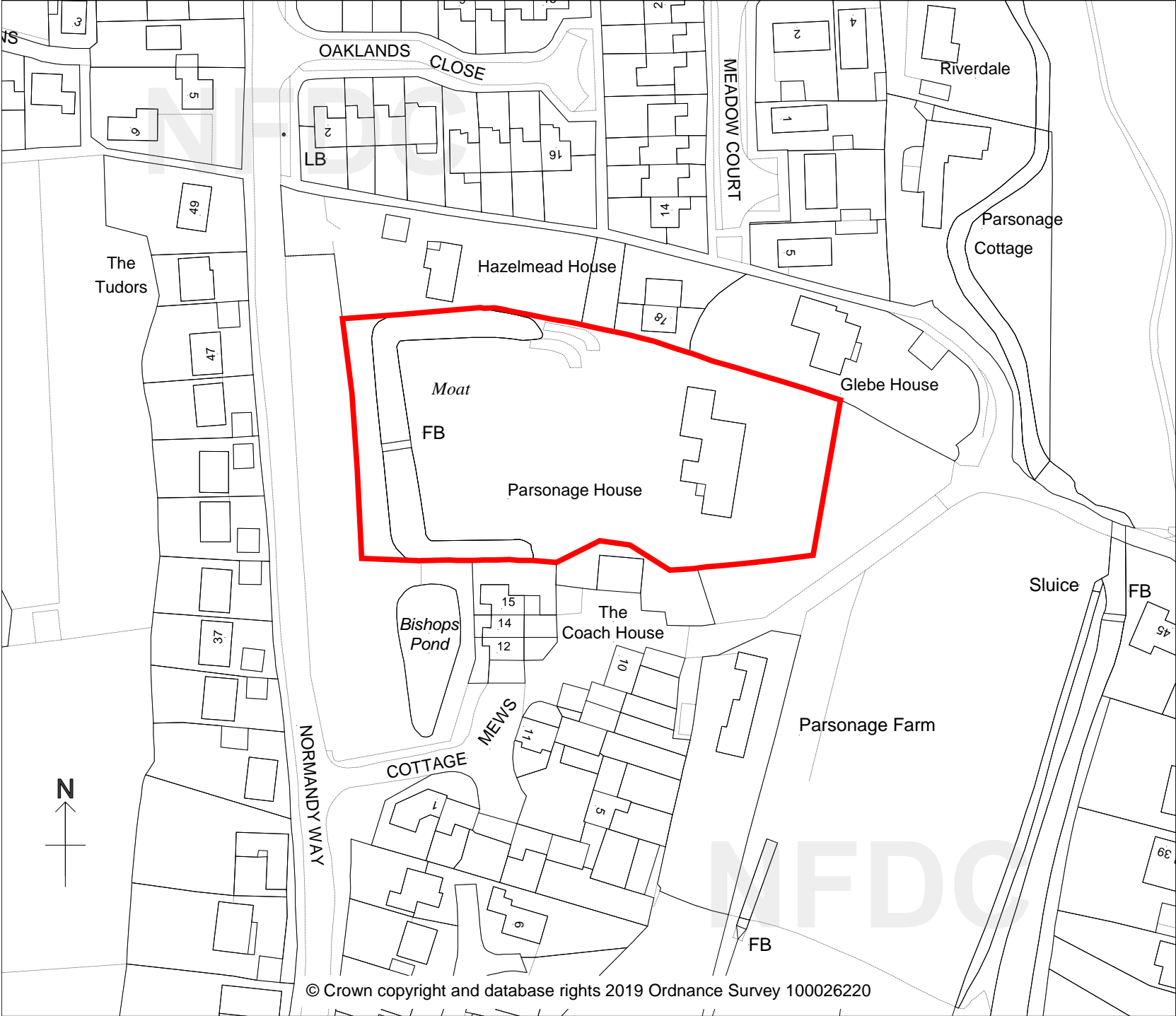
determined, there is demonstrable harm to the designated heritage asset, and coupled with the lack of ecology information, a refusal is justified in this case.

2. This decision relates to amended / additional plans received by the Local Planning Authority on 24 June 2019

Further Information:

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PLANNING COMMITTEE

August 2019

Item No: 3g/3h/3i/3j
 Parsonage House
 Green Lane
 Fordingbridge
 19/10300 -10301-10339 -10340

Scale 1:1250
 N.B. If printing this plan from
 the internet, it will not be to
 scale.

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Application Number: 19/10340 Listed Building Alteration

Site: PARSONAGE HOUSE, GREEN LANE, FORDINGBRIDGE
SP6 1JT

Development: First-floor rear extension; create opening through first floor gable wall (Application for Listed Building Consent)

Applicant: Mr Bartlett

Target Date: 09/05/2019

Extension Date: 12/08/2019

Link to case file: [view online here](#)

1 SUMMARY OF THE MAIN ISSUES

The following matter is the main issues to be taken into account when determining this application. These, and all other relevant considerations, are set out and considered in Section 11, of this report after which a conclusion on the planning balance is reached.

1) Impact on the Listed Building.

This matter is being considered by Committee as a contrary view has been expressed by the Town Council

2 THE SITE

Parsonage House is a Grade II Listed Building set within the Fordingbridge Conservation Area. It is set within a large isolated site, which is well treed. It is located in an important site being associated with a moat, noted in the Historic England Register as being built within 1066-1539 and is on the site of Manor of Woodfidley; this is also an area of Archaeological Importance. The original part of the house dates from approximately 1665. There have been additions to the dwelling over the centuries, including the single storey structure on the rear elevation. This single storey structure, referred to as the boot room in the accompanying Heritage Statement, is likely to date from 1872 and originally formed part of a wraparound extension to the dwelling. There have also been recent additions to the dwelling, in the form of a single storey rear conservatory and attached garage with room over.

3 THE PROPOSED DEVELOPMENT

The proposal is for a first floor extension, that would continue the line of the existing rear gable with a glazed end elevation. The extension would be over an existing single storey structure possibly dating from 1875. An opening would be created through the existing gable end wall to form access into extension.

There is an associated planning application (item 3i on this agenda).

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
19/10339 First-floor rear extension			: Item 3i
19/10300 Single-storey extension; roof light			Item 3g
19/10301 Single-storey extension; roof light (Application for Listed Building Consent)			Item 3h
14/10895 Detached garage/store	13/08/2014	Granted Subject to Conditions	Decided
12/99362 Retention of tree house and decking; rope bridge; zip wire	08/01/2013	Granted	Decided
12/98999 Replacement garage with room over (Application for Listed Building Consent)	07/09/2012	Granted Subject to Conditions	Decided
12/98990 Replacement garage with room over	07/09/2012	Granted Subject to Conditions	Decided
12/98996 Single-storey rear extension (Application for Listed Building Consent)	14/09/2012	Granted Subject to Conditions	Decided
12/98983 Single-storey rear extension	14/09/2012	Granted Subject to Conditions	Decided
XX/RFR/01441 Erection of a double garage.	06/03/1952	Granted	Decided

5 THE DEVELOPMENT PLAN AND OTHER NFDC GUIDANCE

The Core Strategy

CS3: Protecting and enhancing our special environment (Heritage and Nature Conservation)

Local Plan Part 2 Sites and Development Management Development Plan Document

DM1: Heritage and Conservation

The Emerging Local Plan

SO3: Built environment and heritage
Policy 11(saved policy DM1): Heritage and Conservation

Supplementary Planning Guidance and other Documents

SPG - Fordingbridge - A Conservation Area Appraisal
SPD - Fordingbridge Town Design Statement

6 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Relevant Legislation

National Planning Policy Framework:
NPPF Ch.16 - Conserving and enhancing the historic environment
paras 189,193 and 196

7 PARISH / TOWN COUNCIL COMMENTS

Fordingbridge Town Council: Recommend (PAR 3) permission as it makes the property more uniform and it won't affect anyone else

8 COUNCILLOR COMMENTS

No comments received

9 CONSULTEE COMMENTS

The following is a summary of the representations received which can be read in full via the link set out at the head of this report.

Conservation Officer: objection as the proposed extension would be harmful to the historic integrity of the Listed Building.

10 REPRESENTATIONS RECEIVED

None received

11 OFFICER COMMENTS

Introduction

11.1 The only issues when determining this application is the impact of the proposed development on the Listed Building.

Relevant Considerations

Impact on the Listed Building

11.2 Para 189 provides guidance on the requirement of information describing the significance of any heritage assessment, including any contribution made by their setting.

11.3 Para 193 stresses that great weight should be given to the assets conservation.

11.4 At para 196 of the NPPF the guidance states that when the proposal will lead to less than substantial harm to the designated heritage asset, this harm should be weighed against the public benefits of the proposal.

11.5 When considering a scheme for this Grade II Listed Building, it is important that it pays due regard to the existing historic fabric as well as the form, scale and mass of the existing building. It is also important that any changes do not result in a loss of significance to the heritage asset, regardless of whether or not this alteration will be visible from a public vantage point.

11.6 Most of the additions to the building are historic, and this adds to the character and significance of the building. The single storey element,

which is proposed to be built over, is likely to be historic and the Conservation Officer is confident that parts of this structure pre date 1872. The presence of foundations is questionable, and this leads to the possibility that structural interventions could be required, though this has not been addressed in the application.

- 11.7 The existing single storey extension is of historic construction, and asymmetric roofline is part of the character and significance of the building relating to a former wraparound extension present on the historic maps. The building retains an original roof purlin which would be lost in the raising of the roof.
- 11.8 The new roof of the proposed first floor extension would link to the old roof, altering the overall appearance of the building, and adding to the bulk and mass of the building. Whereas currently the chimney stack is sited on the end of the gable, the addition would result in this chimney being isolated and incongruous within the extended roof.
- 11.9 The opening in the original rear wall to create a doorway to the new bedroom space, would result in an unacceptable loss of historic fabric and also an unacceptable alteration to the original plan form of the building. Although there have been alterations to the brickwork in this elevation resulting in a straight joint in part of the wall, the brickwork proposed to be removed to make way for the new doorway is of older handmade bricks of historic date. The loss of this brickwork has not been justified and would result in a loss of significance. The alteration to the plan form would result in a detrimental effect on the character and significance of the building.
- 11.10 There have been modern additions to the dwelling, in the form of a rear conservatory and larger pitched roof garage. The proposed first floor extension has been designed to be an obvious modern addition to the property, and would mimic the same architectural style of the conservatory. However this would result in a more suburban style of architecture which would not reflect the traditional, rural appearance of the building. The addition of a further extension would increase the scale and mass of the building which would have a cumulative effect, resulting in an unacceptable impact upon the historic scale and form of the building and erode its architectural integrity.
- 11.11 The proposed development would result in less than substantial harm to the character and appearance of the Listed Building. The building is currently used as a residential dwelling, and the proposal would add an additional bedroom to the existing 5 bedroomed property. Even though this would be of benefit to the applicants, it would not outweigh the harm caused to the Listed Building, set out in the provision of the NPPF para 196.

12 CONCLUSION ON THE PLANNING BALANCE

- 12.1 The proposals have been considered within the relevant local and national policy context. The proposed development would result in harmful additions to the Listed Building, and the loss of historic fabric which cannot be justified and are not outweighed by other benefits. As such, Listed Building Consent is recommended for refusal.

13 OTHER CONSIDERATIONS

Crime and Disorder

None relevant

Local Finance

Not applicable

Human Rights

In coming to this recommendation, consideration has been given to the rights set out in Article 8 (Right to respect for private and family life) and Article 1 of the First Protocol (Right to peaceful enjoyment of possessions) of the European Convention on Human Rights. Whilst it is recognised that this recommendation, if agreed, may interfere with the rights and freedoms of the applicant to develop the land in the way proposed, the objections to the planning application are serious ones and cannot be overcome by the imposition of conditions. The public interest and the rights and freedoms of neighbouring property owners can only be safeguarded by the refusal of permission.

Equality

The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty *inter alia* when determining all planning applications. In particular the Committee must pay due regard to the need to:

- (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

14. RECOMMENDATION

REFUSE LISTED BUILDING CONSENT

Reason(s) for Refusal:

1. The proposed first floor extension would increase the scale and mass of the building, and taking into account previous extensions would detract from the architectural integrity of this building by making a further cumulative change to the original form of the Listed Building. Furthermore, the extension would be suburban in style, detracting from the traditional rural appearance of the building. This inappropriate addition would be harmful to the character and appearance of the Listed Building. This would be contrary to Policies CS2

and CS3 of the Core Strategy for the New Forest District outside the National Park, DM1 of the Local Plan Part 2: sites and Development Management Plan, and Chaps 12 and 16 of the National Planning Policy Framework.

2. The proposed development would result in the loss of part of the historic first floor gable wall, and an original roof purlin in the single storey element. There is no justification for the loss of this historic fabric, particularly as part of the gable wall forms part of the older part of the house. Furthermore, the resulting change to the historic plan form would result in less than substantial harm to the character and significance of the building. This development would be contrary to Policies and CS3 of the Core Strategy for the New Forest District outside the National Park, DM1 of the Local Plan Part 2: sites and Development Management Plan, and Chap the National Planning Policy Framework.

Notes for inclusion on certificate:

1. In accordance with paragraph 38 of the National Planning Policy Framework and Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015, New Forest District Council takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants.

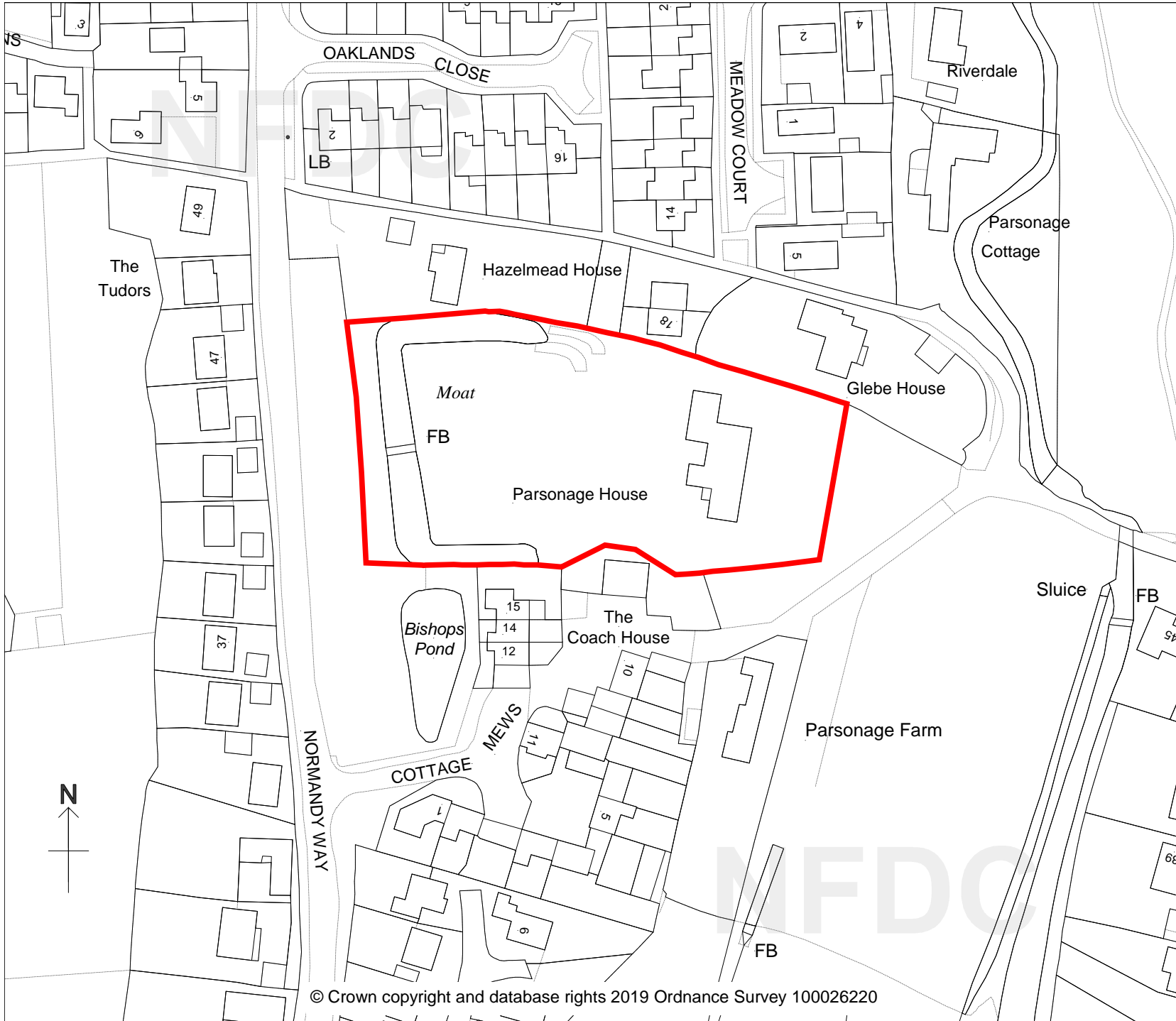
Pre application advice was sought prior to the application being submitted, however the advice given did not support an extension in this position. Notwithstanding this, an application has been submitted. The application has been judged on its merits, but sufficient justification has not been provided for the works and therefore is not supportable. An extension of time was agreed to allow corrections to the plans to be submitted, but these did not alter the overall scheme or provide further justification for the works. As the application now falls to be determined, there is demonstrable harm to the designated heritage asset, and coupled with the lack of ecology information, a refusal is justified in this case.

2. This decision relates to amended / additional plans received by the Local Planning Authority on 24 June 2019

Further Information:

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PLANNING COMMITTEE

August 2019

Item No: 3g/3h/3i/3j
 Parsonage House
 Green Lane
 Fordingbridge
 19/10300 -10301-10339 -10340

Scale 1:1250

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