

NOTICE OF MEETING

Meeting: PLANNING COMMITTEE

Date and Time: WEDNESDAY, 10 NOVEMBER 2021, AT 9.00 AM*

Place: COUNCIL CHAMBER - APPLETREE COURT, BEAULIEU ROAD, LYNDHURST, SO43 7PA

Enquiries to: Email: karen.wardle@nfdc.gov.uk
Tel: 023 8028 5071

PUBLIC PARTICIPATION:

Members of the public may watch this meeting live on the [Council's website](#).

*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 Planning Administration on Tel: 023 8028 5345 or E-mail: PlanningCommitteeSpeakers@nfdc.gov.uk

Claire Upton-Brown
Executive Head Planning, Regeneration and Economy

Appletree Court, Lyndhurst, Hampshire. SO43 7PA
www.newforest.gov.uk

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

AGENDA

NOTE: The Planning Committee will break for lunch around 1.00 p.m.

Apologies

1. MINUTES

To confirm the minutes of the meeting held on 13 October 2021 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) **Kingsmead, De La Warr Road, Milford-on-Sea (Application 21/10481) (Pages 5 - 10)**

Detached garage

RECOMMENDED:

Grant subject to conditions

- (b) **Redbrook Farm, Barn Offices, Ringwood Road, Fordingbridge (Application 21/10786) (Pages 11 - 24)**

Use of redundant agricultural barn as office; associated car parking, new access and landscaping

RECOMMENDED:

Grant subject to conditions

- (c) **2 Park Road, Fordingbridge (Application 21/11194) (Pages 25 - 34)**

Erect 3 pairs of semi detached units (total of 6 properties); associated parking and landscaping; demolish existing property

RECOMMENDED:

Refuse

- (d) **87 Whitsbury Road, Fordingbridge (Application 21/11289) (Pages 35 - 40)**

Loft conversion and rear extension

RECOMMENDED:

Refuse

- (e) **79 Allenwater Drive, Fordingbridge (Application 21/11331) (Pages 41 - 48)**

Two-storey rear extension; first-floor side extension

RECOMMENDED:

Refuse

Please note, that the planning applications listed above may be considered in a different order at the meeting.

4. PROPOSED VARIATION TO COMMITTEE RESOLUTION - PLANNING APPLICATION 21/10693 TESTWOOD CLUB, 110 SALISBURY ROAD, TOTTON
(Pages 49 - 50)

To consider a proposed variation to the Planning Committee's resolution taken at the meeting on 11 August 2021 in respect of application 21/10693 at Testwood Club, 110 Salisbury Road, Totton.

5. ANY OTHER ITEMS WHICH THE CHAIRMAN DECIDES ARE URGENT

Please note that all planning applications give due consideration to the following matters:

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.

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.

To: Councillors:

Christine Ward (Chairman)
Christine Hopkins (Vice-Chairman)
Ann Bellows
Sue Bennison
Hilary Brand
Rebecca Clark
Anne Corbridge
Kate Crisell
Arthur Davis
Barry Dunning

Councillors:

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

This page is intentionally left blank

Planning Committee 10 November 2021

Application Number: 21/10481 Full Planning Permission

Site: KINGSMEAD, DE LA WARR ROAD, MILFORD-ON-SEA
SO41 0PS

Development: Detached garage

Applicant: Mr & Mrs Vokes

Agent: Morgan Building Design

Target Date: 08/07/2021

Case Officer: Kate Cattermole

Extension Date: 13/08/2021

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Impact on the character and appearance of the area by reason of the proposed use of the building

This application is to be considered by Committee because there is a contrary view with Milford on Sea Parish Council

2 SITE DESCRIPTION

The application site is situated within the built up area of Milford on Sea. The immediate area is residential with a mixture of styles and types of properties.

The application site consists of a large plot, situated on a corner location at the junction with Victoria Road. It is a well treed site with protected trees along the southern and eastern boundaries of the plot, and has a vehicular access at the south eastern corner of the site onto De La Warr Road. At the time of the site visit there was a large Arts and Craft style detached house in situ, however a prior approval application has been approved to demolish the house (16/08/2021) and an application for a new dwelling on the plot is currently under consideration.

3 PROPOSED DEVELOPMENT

Detached garage to be located to the south of the dwelling

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
21/11061	16/08/2021	Prior notification application to demolish dwelling	Prior approval not required
21/11203		New dwelling, demolition of existing house	current application

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy ENV3: Design quality and local distinctiveness

Policy ENV4: Landscape character and quality

Supplementary Planning Guidance And Documents

SPG - Milford-on-Sea Village Design Statement

Constraints

Tree Preservation Order: 106/02/G7

6 PARISH / TOWN COUNCIL COMMENTS

Milford On Sea Parish Council

PAR 4: We recommend REFUSAL.

The Parish Council are concerned that this garage will be altered and used as a Permanent residence as the current plans are more akin to a small house.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

NFDC Tree Team

following receipt of further tree report and plans no objection subject to conditions

9 REPRESENTATIONS RECEIVED

No representations received.

10 PLANNING ASSESSMENT

Amended and additional plans have been submitted during the course of the application which has repositioned the proposed garage away from the protected trees on the southern boundary and relocating the rooflights to the rear roofslope. Additional plans have shown a proposed raft foundation due to its proximity to the trees.

Principle of Development

Policy ENV3 requires new development to achieve high quality design that contributes positively to local distinctiveness, quality of life and the character and identity of the locality. The principle of the development is considered to be acceptable, subject to compliance with these policy criteria and the relevant material considerations relating to its impact on the character and appearance of the area and residential amenity.

Impact on the character and appearance of the area

The proposed garage would provide two car parking spaces and a store. The floor plan indicates a single storey building only. The design of the building is not untypical for a domestic garage and the plans do not suggest any alternative use; also the insertion of rooflights in the rear roofslope do not necessarily indicate the requirement for accommodation within the roofspace. Neither the existing or proposed house has an integral garage, and the facility of garaging would be appropriate to serve the host dwelling on site. The plot is of a reasonable size which could easily accommodate the proposed outbuilding.

Even though the existing house is proposed to be demolished, there is a proposal for a replacement dwelling and the red line plan for this subsequent application replicates that submitted with this current application; as such there is no indication that the proposed garage would be severed from the host dwelling. Furthermore, this application has been submitted as a householder application and the floorplan does not indicate any domestic accommodation that you would expect in a residential property, as such the proposed building has only been considered as submitted which is as a detached garage.

If there was a future proposal to change the outbuilding into a separate residential dwelling with its own domestic curtilage, this would require the benefit of a separate planning consent. Consideration has been given to whether the proposed outbuilding should be conditioned to be retained as an incidental outbuilding, but this would not meet the tests for applying a condition as it is not considered necessary or reasonable to apply such a condition as even if the proposed outbuilding in the future was used in an ancillary capacity in conjunction with the main dwelling there is sufficient parking capacity within the remaining plot. Furthermore, it should be noted that both the existing and replacement dwelling would offer adequate residential accommodation both being 5 bedroomed houses, so the requirement for additional living accommodation within the proposed outbuilding does not appear justified at this time.

Impact on the street scene

Due to the screening provided along the southern and eastern boundaries of the application site by the mature trees which are protected by a tree preservation order, coupled with the proposed siting, the single storey garage would not adversely impact upon the street scene.

Landscape impact and trees

Additional arboricultural information has been submitted to support the application. The information provides details of the protection measures to be taken in order to construct the new double garage without any significant adverse impacts on the retained trees. One tree will be removed to facilitate the proposal (Beech T009) which is acceptable due to the poor condition of the tree. A specialist foundation plan (drawing number 21/931/01) has been submitted to demonstrate the structural detail of foundation type which will be adopted to minimise adverse impacts of construction within the root protection areas of retained trees. It has been adequately demonstrated that the protected trees on site can be retained if the tree protection measures set out in the above arboricultural detail and foundation plan are carried out, which can be secured by appropriate condition.

Residential amenity

By virtue of its siting the proposed garage would not impact on the amenities of neighbouring residential properties.

Ecology

The area proposed for garage does not appear to have high ecological value. However the existing vegetation could support nesting birds and as such an informative has been added to identify the responsibilities in respect of protected species (including nesting birds).

11 CONCLUSION

For the reasons given above, it is considered that the proposed development is acceptable and accords with the Government advice contained with the National Planning Policy Framework (2019) and other Local Plan policies. Permission is therefore recommended

12 OTHER CONSIDERATIONS

None

13 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:
 - PL01 Rev B Garage Plans and Elevations as deposited with the Local Planning Authority on 4 August 2021
 - Foundation Plan as deposited with the Local Planning Authority on 19 October 2021
 - SL01 Rev D Site Layout Plan as deposited with the Local Planning Authority on 19 October 2021
 - RNAPC/193.1/TCP/GARAGE/2Tree Constraints Plan as deposited with the Local Planning Authority on 27 October 2021
 - RNAPC/193.1/TPP/1 Tree Protection Plan as deposited with the Local Planning Authority on 27 October 2021
 - Arboricultural Impact Assessment ref 193.1/AIA/1 dated 15 October 2021 as deposited with the Local Planning Authority on 19 October 2021
 - Arboricultural Method Statement ref 193.1/AMS/1 dated 15 October 2021 as deposited with the Local Planning Authority on 19 October 2021

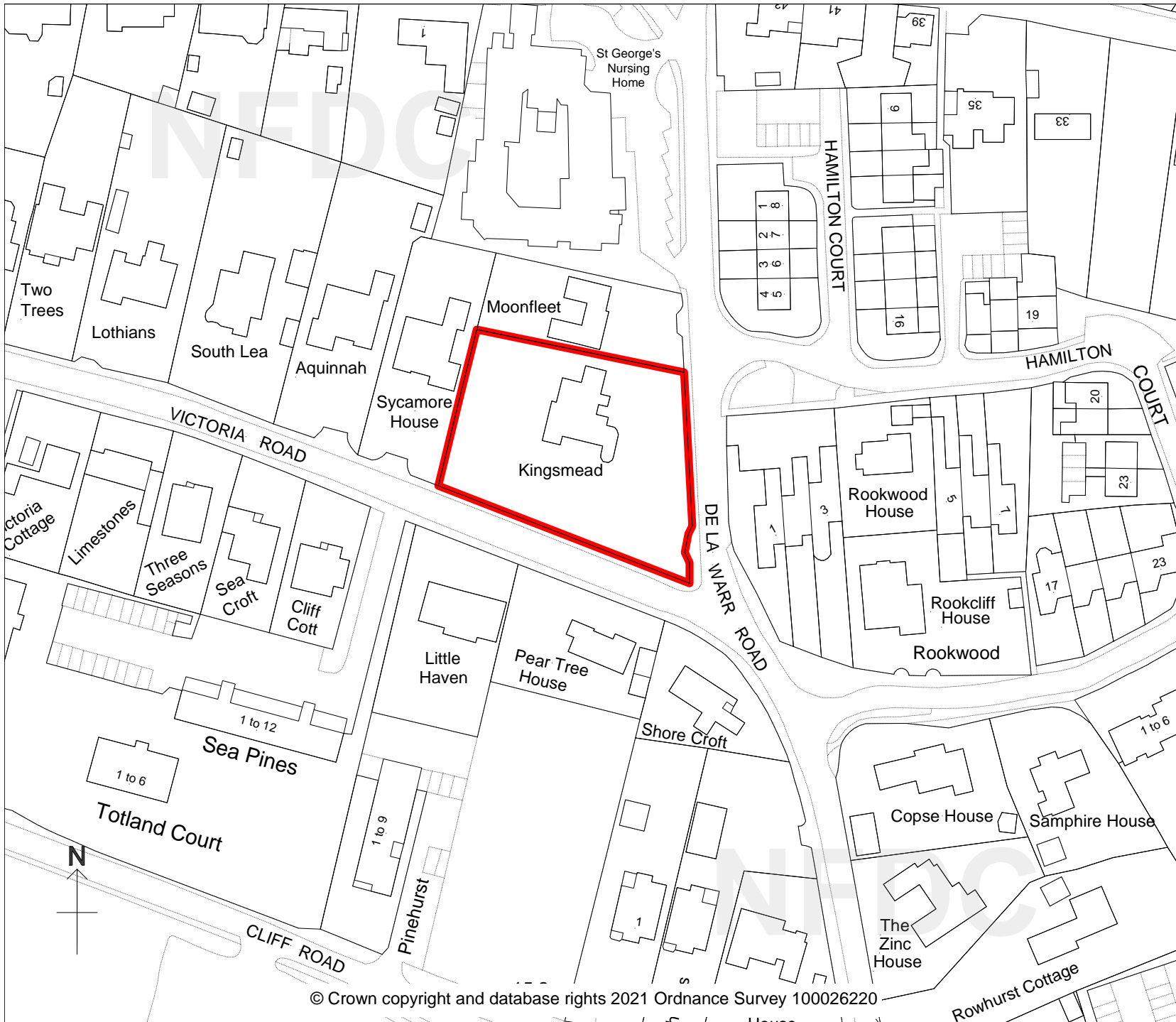
Reason: To ensure satisfactory provision of the development.

3. The trees on the site which are shown to be retained on the approved plans shall be protected during all site clearance, demolition and building works in accordance with the measures set out in the submitted Arboricultural Impact Assessment and tree protection (ref: 193.1/AIA/1) - Tree Constraints Plan (ref; RNapc/193.1/TCP/Garage/2) - Tree Protection Plan – Garage (ref: RNapc/193.1/TPP/1) - Arboricultural Method Statement (AMS) (ref: 193.1/AMS/1) and Foundation Plan (21/931/01)

Reason: To protect the said trees in the interests of the visual amenities and character of the locality, in accordance with Policies ENV3 and ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

Further Information:

Kate Cattermole
Telephone: 023 8028 5446



New Forest

DISTRICT COUNCIL

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

Claire Upton-Brown
 Executive Head of Planning,
 Regeneration and Economy
 New Forest District Council
 Appletree Court
 Lyndhurst
 SO43 7PA

PLANNING COMMITTEE

10 November 2021

Kingsmead
 De La Warr Road
 Milford-on-Sea
 21/10481

Scale 1250

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

10

Planning Committee 10 November 2021

Application Number: 21/10786 Full Planning Permission

Site: REDBROOK FARM, BARN OFFICES, RINGWOOD ROAD,
FORDINGBRIDGE SP6 2ET

Development: Use of redundant agricultural barn as office; associated car
parking, new access and landscaping

Applicant: Mr and Mrs Lewis

Agent: Pell-Stevens Architects

Target Date: 01/09/2021

Case Officer: Jim Bennett

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

1. The Principle of Development
2. Design, site layout and impact on local character and appearance of area and landscape
3. Highway safety, access and parking
4. Residential amenity
5. Ecology on Site Biodiversity and protected species
6. Flood Risk and Drainage
7. Employment Use of the Site and Promotion of the Rural Economy

This application is to be considered by Committee as the recommendation is contrary to the PAR4 objection of Fordingbridge Town Council.

2 SITE DESCRIPTION

This former farm complex is located within the countryside outside the New Forest, and contains a dwelling to the front (known as Redbrook Farm), a single and two-storey brick outbuilding, and barns and stables to the rear of the dwelling. To the north of the existing access track is a large barn (the application building). The surrounding area contains terrace dwellings to the south (known as 1-7 Redbrook Cottages), a detached dwelling to the rear (known as Redbrook Farm Cottage), and open fields elsewhere in a rural setting. Planning permission has been granted in the past for the re-use of some of the more substantial single and two storey brick buildings for offices (Class B1) for occupation by a company known as PDQ Airspares Limited. PDQ Airspares Limited have occupied these buildings for a number of years and are involved in the sourcing and despatch of air spares on a global scale.

3 PROPOSED DEVELOPMENT

The current planning application relates to the detached barn located in a field adjacent to the existing access track leading to the converted buildings and residential dwelling. It proposes to convert the agricultural barn to an office use to be occupied by PDQ Airspares, who operate an existing business from the adjoining site, which will be retained for PDQ's use. An application for the same was approved in November 2018 under ref. 18/10864.

Offices would be provided largely at ground floor level, with two smaller rooms provided at first floor level. The applicant confirms the proposal would be a scheme of conversion. The converted building is required to provide additional accommodation for staff, including kitchen, courtyard and changing facilities, in addition to accommodation requirements for the business need. A new access is proposed from Ringwood Road (A338), with the existing access stopped-up. Car parking spaces for 22 vehicles would be provided to the north and west of the building for staff and visitors. Tree and hedgerow planting is proposed within the field to the north of the development, with a view to extending the existing copse.

The existing building is prominent when viewed across relatively open land from the A338. It is slightly larger than other buildings in the vicinity including the converted farm buildings. It has a large footprint and is clad with corrugated iron sheeting. Parts of the lower parts have blockwork. The existing building would be refurbished with new aluminium cladding and glazing to make it fit for purpose.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description
20/11403 Use of existing redundant agricultural barn to four dwellings with associated car parking, new access and landscaping		Pending
20/11075 Use barn as 4 dwellings (Prior Approval)	12/11/2020	Prior Approval refused
18/10864 Use as office (Use Class B1); bin/cycle store; associated parking; new access; landscaping	28/11/2018	Granted Subject to Conditions

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy STR1: Achieving Sustainable Development
 Policy STR6: Sustainable economic growth
 Policy ENV3: Design quality and local distinctiveness
 Policy ENV4: Landscape character and quality
 Policy IMPL2: Development standards
 Policy CCC1: Safe and healthy communities

Local Plan Part 2: Sites and Development Management 2014

DM2: Nature conservation, biodiversity and geodiversity
 DM22: Employment development in the countryside

Core Strategy

CS21: Rural economy

Supplementary Planning Guidance And Documents

SPD - Parking Standards

Relevant Advice

National Planning Policy Framework (NPPF):

Chapter 11: Making effective use of land

Chapter 12 - Achieving well designed places

Chapter 14 - Managing Climate Change and flooding

Constraints

Plan Area

Avon Catchment Area

Flood Zone 2 and 3

FP39 - Fordingbridge

Countryside

6 PARISH / TOWN COUNCIL COMMENTS

Fordingbridge Town Council - Recommend REFUSAL under PAR4, as the application does not comply with Class Q and Class R conditions for development of agricultural buildings, the application is not for a conversion but a new build and there are concerns over the removal of the Right of Way.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

Environment Agency - No objection, subject to a condition to ensure the development is implemented in accordance with the submitted Flood Risk Assessment and informatives.

Natural England - Having reviewed this application, it is not clear how surface water will be managed. Given the site proximity to the European Sites, we advise that consideration is given to how surface water is managed so that impacts to these designated sites are avoided or mitigated. The planning statement refers to the implementation of SuDS and a permeable car park to manage surface water from the car park. In addition to flood risk considerations, we advise that your authority should be satisfied that such measures are also suitable to protect the water quality of the designated sites. We recommend that best practice SuDS should be designed and installed in accordance with the requirements in the CIRIA SuDS Manual (C753). Please note that the pollution hazard indices in the CIRIA SuDS Manual (C753) relate to protected waters. With regards to drinking water supply Step 3 under Section 26.7.1 of the SuDS manual outlines that the requirement for extra treatment should be considered in relation to discharge to environmentally protected sites. It states that an additional treatment component (i.e. over and above that required for standard discharges), or other equivalent protection, is required that provides environmental protection in the event of an unexpected pollution event or poor system performance. Subject to your authority being satisfied with the proposed surface water management system, Natural England has no other concerns with this proposal. It is our advice that any specific measures to mitigate impacts to European designated sites may require consideration within

a Habitat Regulations Assessment. Where applicable, it is advised details are provided with regards to the long-term (in perpetuity) maintenance/replacement and funding of SuDS, and which authority will have responsibility for this, for incorporation into your authority's assessment.

Ecologist - Having reviewed the Ecology Report which has been produced by a suitably qualified Ecologist. Given the findings of the original report, it is not necessary to undertake another survey. However, it is requested that the mitigation and enhancement measures detailed in the report are secured by condition.

HCC Countryside Services - Following receipt of amended plans, the objection is withdrawn, subject to a highway agreement being secured for the installation of the bollards on Fordingbridge Footpath 39.

HCC Highways - Satisfied with the additional speed survey that has been undertaken, and as a result the slight changes to the visibility splays. In regards to the footway short length of footway connecting to the bus stop linking to the access road to the east through the hedgerow would be acceptable in this instance. The above works and change to access can be secured via a S278 agreement. The Highway Authority would therefore have no objection to the above application.

9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received.

- Ringwood & Fordingbridge Footpath Society & Ramblers object to the proposal to install a grass verge and gate across the access and support the comment made by HCC Countryside.
- The proposal is not a conversion as there is nothing within the current structure of the existing barn that lends itself to that without major structural works being carried out.
- It is disputed whether the building has been in agricultural use since 2007 and therefore does not meet the tests applied by Classes Q and R.
- I have no intention of relinquishing my entitlement regarding my right of way over the existing drive.

For: 0

Against: 2

10 PLANNING ASSESSMENT

Principle of Development

The conversion of agricultural buildings to a flexible commercial use (including B1 offices) is permitted development if it passes the tests applied by Class R of the General Permitted Development Order. The basis of Class R is the applicant's fall-back position, but a Class R application would fail as certain elements of the scheme, such as the new access road cannot be undertaken under the tests applied by Class R. An application for the same form of development was approved in November 2018 under ref. 18/10864. The principle of the form of development proposed could therefore be acceptable, subject to the material considerations set out below.

Design, site layout and impact on local character and appearance of area and landscape

Policies ENV3 and ENV4 require consideration of the character impacts of the development proposed and seek to ensure that all new development is appropriate and sympathetic to its setting and landscape. Specifically, it needs to be considered whether the design, materials, layout, vehicular access, parking and turning arrangements proposed would preserve or enhance the quality of the area including allowances for meaningful landscaping.

The existing building is basically a metal clad shed and would remain so, albeit with new aluminium cladding and fenestrated elevations. It is not a small building, but it is not out of scale with the buildings around it (which include the original farmhouse to the west, the adjacent cottage to the east and the barn already converted into offices opposite). It has the appearance of a modern agricultural building within a farmstead. The existing structure is not an attractive building, but nor is it imposing or obtrusive and it does not look out of place here. The only significant changes in the appearance of the building would be in respect of the cladding used and insertion of windows/doors to make it fit for use as an office. The scale of the converted building would be the same as existing and would be consistent with the buildings around it.

There would be alterations to the environment around the building, through the introduction of formalised access, car parking and circulation arrangements and landscaping. The submitted Landscape Plan provides an understanding of the landscape context of this development proposal and a scheme that reflects more closely the underlying landscape character. The scheme incorporates new native hedges as the main structure, arranged along boundaries that more closely reflect the traditional field pattern, whilst offering a more ornamental but valuable and varied planting structure close to and around the building, gardens and car parking that will provide a suitable and pleasant environment. Delivery of the landscaping proposals will be ensured by condition.

Overall and subject to conditions, the proposal would preserve the character and appearance of the area and local landscape, in accordance with Policies ENV3 and ENV4 of the NFDC Local Plan Part 1 2016-2036 and Paragraph 192 of the NPPF.

Highway safety, access and parking

The applicant seeks to utilise an existing building for B1a (office) use and to relocate an existing access and close up the existing. The parking standards require a total quantum of 21.3 car parking spaces and 4.3 cycle spaces, which have been provided in full. The layout of the car park is also in accordance with the required standards. The existing access has below standard visibility due to its location on the inside of a bend. The relocation of the access further north allows egress onto a straighter section of Ringwood Road. Speed data has been presented to justify the visibility distances and is deemed acceptable. Swept path analysis has been undertaken for a refuse vehicle accessing site, which demonstrates that a car can access/egress the site at the same time as a refuse vehicle undertaking the opposite movement without the need to stop on the highway. Consequently no objections are raised by the Highway Authority, subject to provision of a footpath link to the existing bus stop on Salisbury Road, conditions and informatives. The applicant has been requested to provide an amended plan showing the bus stop link.

Policy IMPL2 relates to development standards and places a requirement on new developments to make provision to enable the convenient installation of charging points for electric vehicles, details of which are secured by condition.

Residential amenity

Policy ENV3 seeks to ensure that all new development is appropriate and sympathetic to its setting and should not cause adverse impacts upon residential amenity. There are some dwellings in and around the vicinity of the existing and proposed commercial buildings, the impact of the proposal on which needs to be considered.

Access to the converted building would be via a new point of access from Salisbury Road, rather than the existing point of access adjoining Redbrook Farm. Traffic to the new building would not pass Redbrook Farm, being diverted into the new car park to the north. The new building is likely to form the focal point of PDQ's activities, with less reliance upon the existing building. The applicant also confirms that the warehouse facility for PDQ Airspares is at the Fairgate Centre, Burgate and that all deliveries and HGV traffic go from that address, although it will be the case that occasional HGV movements are necessary for delivery of office supplies and refuse collection. Consequently the impact of the development in terms of increased traffic noise and disturbance would not have a significant adverse impact upon residential amenity and the slight extension of hours sought from 07:00 to 19:00 is considered to be acceptable. For the avoidance of doubt the hours of operation shall be restricted to those applied for.

No windows within the new development would directly overlook existing premises. While a window would be introduced on the southern elevation of the building to the west, this would not directly overlook Redbrook Farm, would be at ground floor level and bearing in mind it would be adjacent to an existing public right of way, it is not accepted that any loss of privacy would be introduced here.

Consequently, the development proposed would have very limited implications for adjoining amenity and complies with the amenity related provisions of Policy ENV3.

Ecology on Site Biodiversity and protected species

With regard to the ecological impacts of the development proposed, an ecology report was submitted with the formal planning application to ensure any potentially harmful impacts of the development on ecological interests are addressed. The Council's Ecologist raises no objections to the proposal, subject to the development being implemented in accordance with the recommendations of the submitted ecology report.

Flood Risk and Drainage

Parts of the site, although not the building's footprint are within Flood Zones 2 and 3. The Environment Agency raise no objections subject to a condition to ensure the development is implemented in accordance with the submitted Flood Risk Assessment.

Natural England raise queries over how surface water will be managed, given the site proximity to the European Sites. They advise that consideration is given to how surface water is managed so that impacts to these designated sites are

avoided or mitigated. It is recommended that best practice SuDS should be designed and installed in accordance with the requirements in the CIRIA SuDS Manual (C753) and Step 3 under Section 26.7.1 of the SuDS Manual outlines. A condition is proposed to ensure the development is implemented in accordance with SuDS good practice, to address these matters.

Employment Use of the Site and Promotion of the Rural Economy

The Council's saved and adopted local planning Policies CS21 and DM22 favour the re-use of permanent rural buildings for employment, to enable developments that help sustain the rural economy but not harm the countryside. The proposal would generate local employment and associated supply chains would make a contribution toward the local economy. It is important that existing and successful businesses in the New Forest are given the opportunity to expand and grow their workforce.

While a location better related to existing settlements would be preferable, there is a locational requirement for the development on this site, due to its proximity to PDQ's existing operation. The existing business premises will be retained for use by the business and the proposal will create employment for the people of Fordingbridge and local area.

Overall the proposal is consistent with Policies CS21 and DM22 which seek to promote the re-use of existing permanent rural buildings for employment purposes and to promote economic development.

Other Matters

With regard to other issues raised by notified parties; the proposal is supported by a structural report which concludes that the conversion can be undertaken, while retaining the internal framework of the existing building, which will be ensured by condition.

Class R of the General Permitted Development Order 2015 allows the change of use of agricultural buildings to a flexible commercial use (including Class B1a now Class E (g) (i)) under the prior approval procedure, without a requirement for planning permission. There is some dispute as to whether the building has been used for agricultural purposes for the requisite period of time, a notified party suggesting it has been used for storage use. Even in that instance Class I of the General Permitted Development Order 2015 allows the change of use of industrial and general business conversions (including B8 storage) to a Class B1 (office) use (now Class E (g)(i)) under the prior approval procedure. The general steer from Central Government is now supportive of the re-use of existing buildings for alternative uses without a requirement for planning permission. Nevertheless, this is a planning application, and the applicant's fall-back position is the same whether the building was last used for agricultural purposes or storage. Notwithstanding the fall-back position, the site benefits from an extant planning permission for conversion of the building to office use under ref. 18/10864, so the principle of the form of development proposed is established.

Following submission of amended plans the County Rights of Way Section have removed their objection to the proposed alterations to FP39, subject to details of bollards being agreed by highway agreement. While a private/legal matter, the applicant has confirmed that existing residents will have a right to use the new point of access, which will be a safer point of access/egress.

11 CONCLUSION

The proposal is consistent with adopted policies which seek to enhance opportunities for rural employment/business development, where it is limited to ensure the development remains of a scale and character appropriate to its rural setting. Furthermore, the proposal does not raise any issues in respect of residential amenity, flood risk or highway safety. Accordingly it is recommended for approval, subject to conditions.

12 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:

drawing number 00-01 Rev B - Location Plan - Existing
drawing number 00-02 Rev B - Location Plan - Existing
drawing number 00-04 - External Photo Sheet
drawing number 00-05 - Internal Photo Sheet
drawing number 01-00 Rev A - Block Plan - Existing
drawing number 01-01 Rev A - Site Plan - Existing
drawing number 01-02 Rev A - Ground Floor Layout - Existing
drawing number 01-03 Rev A - Roof Plan - Existing
drawing number 01-04 Rev A - South and North Elevations - Existing
drawing number 01-05 Rev A - West and East Elevations - Existing
drawing number 01-06 Rev A - Section Plan - Existing
drawing number 03-00 Rev D - Block Plan - Proposed
drawing number 03-02 Rev C - Ground Floor Layout - Proposed
drawing number 03-03 Rev B - First Floor Layout - Proposed
drawing number 03-04 Rev B - Section Plan - Proposed
drawing number 03-05 Rev C - South Elevation - Proposed
drawing number 03-06 Rev A - West and East Elevations - Proposed
drawing number 03-07 Rev A - North Elevation - Proposed
drawing number 03-08 - Bin and Bike Store - Proposed
drawing number LANDP001 - Landscape Plan
Vehicle Tracking Plan - 017/3983/004,
Design and Access Statement (June 2018),
Planning Statement (June 2018),
Transport Statement (June 2018)
Transport Survey Assessment by RGP dated 15/09/2021
Ecology Report by KP Ecology (April 2018)
Letter from KP Ecology (September 2018)
Conversion and Structural Strategy by Pell-Stevens (July 2021)
Landscape Assessment (September 2018).

Reason: To ensure satisfactory provision of the development.

3. Before development commences, samples or exact details of the facing and roofing materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure an acceptable appearance of the building in accordance with Policy ENV3 of the Local Plan Part 1 for the New Forest District outside the National Park.

4. Before first occupation of the development hereby approved, a surface water sustainable drainage system (SuDS) shall be designed and installed to accommodate the run-off from all impermeable surfaces including roofs and hard surfaces associated with the approved development such that no additional or increased rate of flow of surface water will drain to any water body or adjacent land and that there is capacity in the installed drainage system to contain below ground level the run-off from a 1 in 100 year rainfall event plus 30% on stored volumes as an allowance for climate change as set out in the Technical Guidance on Flood Risk to the National Planning Policy Framework. Infiltration rates for soakaways are to be based on percolation tests in accordance with BRE 365, CIRIA SuDS manual C753 and Step 3 under Section 26.7.1 of the SuDS Manual in relation to drinking water supply or a similar approved method. In the event that a SuDS compliant design is not reasonably practical, then the design of the drainage system shall follow the hierarchy of preference for different types of surface water drainage system as set out at paragraph 3(3) of Approved Document H of the Building Regulations. The drainage system shall be designed to remain safe and accessible for the lifetime of the development, taking into account future amenity and maintenance requirements.

Reason: In order to ensure that the drainage arrangements are appropriate and in accordance with the New Forest District Council and New Forest National Park Authority Strategic Flood Risk Assessment for Local Development Frameworks.

5. Before use of the development is commenced the existing vehicular access from the site to Ringwood Road shall be permanently stopped up and effectively closed with the footway provided or verge reinstated, in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety in accordance with Policy ENV3 of the Local Plan Part 1 for the New Forest District outside the National Park.

6. Before use of the development is commenced provision for parking shall have been made within the site in accordance with the approved plans and shall be retained thereafter.

Reason: To ensure adequate on-site car parking provision for the approved development in accordance with Policy ENV3 of the Local Plan Part 1 for the New Forest District outside the National Park.

7. All external works (hard and soft landscape), including reinstatement of the verge and positioning of bollards shall be carried out in accordance with the approved Landscape Plan no. LANDP001 within one year of commencement of development and maintained thereafter as built and subject to changes or additions (including signage) only if and as agreed in writing with the Local Planning Authority.

Reason: To ensure the achievement and long term retention of an appropriate quality of development and to comply with Policies ENV3 and ENV4 of the Local Plan Part 1 for the New Forest District outside the National Park.

8. The works hereby approved shall be undertaken in strict accordance with the ecological measures of mitigation and compensation as outlined in the Ecology Report by KP Ecology (April 2018) and Letter from KP Ecology (September 2018), unless otherwise first agreed in writing with the Local Planning Authority.

Reason: To safeguard protected species in accordance with Policy DM2 of the Local Plan for the New Forest District outside the National Park (Part 2 : Sites and Development Management).

9. The development hereby approved shall not operate other than between the hours of 07:00 and 19:00 hours Monday – Saturday, and not at all on Sundays. Deliveries and collections to and from the site, including any refuse collections shall not be permitted other than between the hours of 07:00 and 19:00 Monday – Saturday, and not at all on Sundays unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of nearby residential properties in accordance with Policy ENV3 of the Local Plan Part 1 for the New Forest District outside the National Park.

10. Prior to the installation of any external lighting on site, a Lighting Scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall:

- Set out details of all proposed construction and operational external lighting;
- Include timings of lighting operation;
- Include a lighting plan showing locations and specifications of all proposed lighting;
- Demonstrate that light spill into adjacent habitats has been minimised and avoided

Reason: To safeguard the amenities of nearby residential properties in accordance with Policy ENV3 of the Local Plan Part 1 for the New Forest District outside the National Park and to safeguard protected species in accordance with Policy DM2 of the Local Plan for the New Forest District outside the National Park (Part 2 : Sites and Development Management).

11. Prior to the installation of any external plant , machinery or equipment, details of the scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a noise impact assessment to consider noise from the proposed external equipment in accordance with BS4142:2014.

Reason: To safeguard the amenities of nearby residential properties in accordance with Policy ENV3 of the Local Plan Part 1 for the New Forest District outside the National Park.

12. During any demolition and construction processes, no site machinery or plant shall be operated, no process shall be carried out and no demolition or construction related deliveries received or dispatched from the site between the hours of 08:00 – 18:00 Monday – Friday, 08:00 – 13:00 Saturday and at no time on Sundays or Bank Holidays unless otherwise agreed in writing by the Local Planning Authority

Reason: To safeguard the amenities of nearby residential properties in accordance with Policy ENV3 of the Local Plan Part 1 for the New Forest District outside the National Park.

13. The development shall be carried out in accordance with the submitted flood risk assessment and the following mitigation measures it details:

- The office buildings will be located in flood zone 1 with only car parking in flood zone 2 and 3
- There will be no ground raising in flood zone 2 or 3 for the car parking
- There will be no car parking within 8m of the top of the banks of the river

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: In line with the Planning Practice Guidance of the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change to reduce the risk of flooding to the proposed development and future occupants.

14. Prior to first occupation, provision should be made for the convenient installation of charging points for electric vehicles on the site. Details to be first submitted and agreed in writing with the Local Planning Authority and then thereafter provided and retained for that purpose unless otherwise agreed in writing by the Local Planning Authority

Reason: To ensure suitable provision is made and in accordance with Policy IMPL2 of the Local Plan Part 1 2016-2036 Planning Strategy

15. The development hereby approved shall be implemented as a scheme of conversion, retaining the internal structure of the existing barn in its entirety, in accordance with Section 4.0 of the Conversion and Structural Strategy by Pell-Stevens (July 2021) unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure an acceptable appearance of the building in accordance with Policy ENV3 of the Local Plan Part 1 for the New Forest District outside the National Park.

16. Prior to first occupation of the development hereby approved, the pedestrian link between the site and the bus stop on the eastern side of the road shall be constructed and made available for use at all times, in accordance with the approved plan.

Reason: In the interests of highway safety in accordance with Policy ENV3 (iv) of the Local Plan Part 1

Further Information:

Jim Bennett

Telephone: 023 8028 5443

NFDC



New Forest
DISTRICT COUNCIL

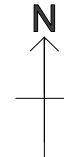
Tel: 023 8028 5000
www.newforest.gov.uk

Claire Upton-Brown
Executive Head of Planning,
Regeneration and Economy
New Forest District Council
Appletree Court
Lyndhurst
SO43 7PA

PLANNING COMMITTEE

10 November 2021

Redbrook Farm
Barn Offices, Ringwood Road
Fordingbridge
21/10786



23



Scale 1800

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

This page is intentionally left blank

Planning Committee 10 November 2021

Application Number: 21/11194 Full Planning Permission

Site: 2 PARK ROAD, FORDINGBRIDGE SP6 1EQ

Development: Erect 3 pairs of semi detached units (total of 6 properties);
associated parking and landscaping; demolish existing property

Applicant: Northshore Companies Ltd

Agent: Chapman Lily Planning Ltd

Target Date: 08/11/2021

Case Officer: Vivienne Baxter

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Principle of the development
- 2) Impact on the character and appearance of the area
- 3) Impact on the residential amenities of the area
- 4) Highway matters and parking
- 5) Biodiversity
- 6) Impact on European sites
- 7) Habitat Mitigation

This application is to be reported to Committee in view of the Town Council's concerns in respect of highway matters.

2 SITE DESCRIPTION

The site lies within the built up area of Fordingbridge in a residential area. Park Road is characterised by two storey detached and semi-detached houses although the site itself is significantly larger than other plots and the existing dwelling is of a more recent, 1950s construction and set at an angle on the plot with a flat roofed garage structure attached.

Although the boundary is marked by a dwarf wall and brick piers with timber fence panels between, substantial vegetation is visible behind this both along the boundary and within the plot. This vegetation forms part of the character of the plot which is a mature landscaped garden with vegetable garden separated by a hedge to the north west.

3 PROPOSED DEVELOPMENT

The proposal entails the demolition of the existing dwelling and associated outbuildings and the provision of three pairs of semi-detached houses comprising snug, WC and open plan kitchen, lounge, dining area at ground floor level with three bedrooms (one ensuite) and a family bathroom at first floor level. In order to address the second street frontage, plot 6 has a slightly different layout at ground floor level with a kitchen/breakfast room and a dining/living room in addition to the WC.

The existing vehicular access would be stopped up and three new access points created along Park Road one each for plot 1, plots 2 & 3 and plots 4 & 5. Plot 6 would have a further access point onto Salisbury Road adjacent to the boundary with no.23. A pedestrian link to the front door of this property facing Salisbury Road would also be provided within the site area. Each access point would accommodate two tandem parking spaces without any turning provision.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
02/76538 House and detached garage	15/01/2003	Granted Subject to Conditions	Decided
84/NFDC/26785 6ft high boundary wall and fence.	25/06/1984	Granted Subject to Conditions	Decided
78/NFDC/09611 Alterations and additions.	15/03/1978	Granted	Decided
XX/RFR/05722 House and garage with construction of access.	15/06/1959	Granted Subject to Conditions	Decided
XX/RFR/05447 Dwelling with access.	13/02/1959	Granted Subject to Conditions	Decided

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy CCC2: Safe and sustainable travel
 Policy ENV3: Design quality and local distinctiveness
 Policy ENV4: Landscape character and quality
 Policy IMPL1: Developer Contributions

Local Plan Part 2: Sites and Development Management 2014

DM2: Nature conservation, biodiversity and geodiversity

Supplementary Planning Guidance And Documents

SPD - Design of Waste Management Facilities in New Development
 SPD - Fordingbridge Town Design Statement
 SPD - Mitigation Strategy for European Sites
 SPD - Parking Standards

Relevant Legislation

Section 38 Development Plan
Planning and Compulsory Purchase Act 2004
 National Planning Policy Framework

Relevant Advice

Chap 12: Achieving well designed places

Constraints

SSSI IRZ Residential
 Aerodrome Safeguarding Zone
 Avon Catchment Area
 Meteorological Safeguarding

Plan Policy Designations

Built-up Area

6 PARISH / TOWN COUNCIL COMMENTS

Fordingbridge Town Council

Recommend REFUSAL under PAR4, as the application is an overdevelopment of the site, the houses would be better set back further from the road and concerns were raised over car parking spaces being behind the front spaces due to difficulties and dangers of manoeuvring cars on the road adjacent to a busy junction. Councillors thought parking spaces should be set out side by side to allow safer and easy ingress and egress on Park Road instead.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

Ecologist: no objection in principle but more information is required

HCC Highways: offer advice

Building Control: no adverse comments

9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received.

Against: 10

- parking is already an issue in the road
- Park Road is used to both access car parks and avoid car park charges
- proposed parking level is inadequate
- loss of privacy/overlooking
- access on Salisbury Road would be a safety hazard
- noise nuisance
- fewer units would be preferable
- inaccuracies on the application form
- overbearing impact on garden to no.6
- loss of on street parking
- overdevelopment of the site
- conflicts with Fordingbridge Town Council's design statement
- there are bats in the area and swifts nest locally
- there is an underground watercourse to the rear of the plot
- loss of vegetation and associated impact on wildlife

The agent has also written in support of the application with particular reference to the comments made by the Town Council (density/layout) and Highway Authority who have not raised any objections to the proposal.

10 PLANNING ASSESSMENT

Principle of Development

In principle, there are no objections to the provision of new residential accommodation within the built up area. However, consideration also has to be

given to the impact of such a proposal on the surrounding area in terms of both visual and residential amenity, the highway implications of new access provisions and the impact of new residential accommodation on European designated sites.

Design, site layout and impact on local character and appearance of area

Design

The detailing proposed on the dwellings has clearly referenced other properties in the area and includes decorative ridge tiles and verges, window arches and projecting bays with pitched roofs over. In addition to this, the design of plot 6 reflects its position on the corner of the site having two side bays windows in addition to the front one. This level of detailing is welcomed. However, it is noted that on many other pairs of semi-detached houses in the area, the width of the rear section is narrower than the frontage section and the side wall does not appear as long or deep as those proposed. The impact of this is that the proposed dwellings would have an increased bulk to other properties in the area and this would appear out of character. This would be particularly noticeable between plots 4 and 5 where the proposed spacing would allow wider views of the flank walls. The buildings would also have an element of flat roof as a result.

Site layout

Aside from the site itself, there is a rhythm to the building line of this side of Park Road with properties being set behind a small front garden area of around 5m. Boundaries are comprised of low brick walls, often with hedging behind. Where properties benefit from a vehicular access, it is to the side of the dwelling rather than in front although there are a couple of examples which are the exception rather than the rule along the road. The eastern most block reflects this character in terms of set back and vehicular access provisions either to the side or at the end of the garden around the corner (although the lack of an access point to plot 6 on this frontage is noted). Whilst the middle block (plots 3 & 4) would also benefit from side accesses, the tandem spaces for plot 4 would be immediately adjacent to those for plot 5 rather than having a boundary wall or hedge separating them. To the west of plot 3, the parking spaces would be within 1m of the front window for plot 2 with little space for any screening or boundary treatment between the two.

Plots 1 and 2 would not have adequate space for side accesses and the set back is significantly more than the others in order to provide for frontage parking. In view of the number of access points proposed and lack of space for boundary treatment between the plots, the layout as proposed to the front of this site would not reflect the character of the road and, whilst it is accepted that the existing situation includes a tall, enclosed garden boundary, the proposal is not considered to offer the level of improvement expected in this respect.

Moving to the Salisbury Road frontage, the existing dwelling does not address this road frontage being screened behind a 1.8m high close boarded fence and set back from this boundary, as is 23, Salisbury Road to the north. Beyond this, the houses are set back around 7m from the highway. The proposal would introduce built form within 3m of this boundary which, combined with the loss of screening vegetation to the east, would be intrusive in the street scene, particularly as the side elevation of the dwelling opposite is very close to the boundary.

Local character and appearance

Although the existing boundary treatment to the site is a combination of brick wall/piers and fence panels, there is a substantial amount of vegetation behind this which provides a verdant setting for the existing dwelling. Whilst there is no proposed landscaping scheme indicated for the development at this stage, it is unlikely that much of this would be able to be retained in view of the number of

proposed vehicular access points. To the Salisbury Road frontage, the plan indicates an internal footpath between the parking spaces and front door to plot 6 which would necessitate the removal of vegetation in this area.

The street scene indicates low boundary walls to the front of each proposed dwelling which is contextually appropriate subject to there being hedging behind. However, the length of walls indicated on this drawing do not accurately reflect what is possible given the proposed site layout to the front of plot 2. Further, there could be future pressure to enclose the frontage of plot 6 given the front garden has no access from within the proposed dwelling or public highway.

Overall, whilst there positive elements of the design and principle of semi-detached dwellings, the loss of significant vegetation, increased hard surfacing with limited space for any replacement landscaping scheme to mitigate against it, excessive bulk of the dwellings by virtue of providing the maximum width for each house along its whole depth and siting of the dwellings in relation to the boundaries of the site, it is considered that the proposal would not offer a sympathetic form of development and would appear cramped in the street scene.

Residential amenity

The proposal includes first floor bedroom windows in the northern elevation to each dwelling and these would look towards the flank wall of no.23 Salisbury Road which is quite close to the boundary. This property has a single obscure glazed window in its southern elevation which is understood to serve the stairwell. This window would be approximately 12m from the proposed blocks containing plots 3/4 and 5/6 and there is a mature hedge in excess of 3m along the common boundary. The existing dwelling, albeit at a different angle to the proposed, is at a similar distance from this dwelling and includes two first floor windows. It is not considered that the relationship of the proposed dwellings to the existing dwelling to the north would give rise to unacceptable living conditions.

The proposed dwellings are sufficiently far enough away from adjacent properties not to give rise to any significant loss of light.

Concern has been expressed about plot 1 having an overbearing impact on the garden to 6, Park Road. It is acknowledged that the proposed building containing plots 1 and 2 would be situated 1m from the boundary with this detached property and would extend approximately 3m beyond the rear building line of it's 10m deep garage. However, it is noted that the neighbouring garden extends for almost 20m beyond the extent of proposed built form and as such, there would be an adequate length of boundary with the site which would remain open and unenclosed.

Highway safety, access and parking

There have been many objections locally in relation to the parking issues currently experienced along Park Road which is largely devoid of parking restrictions although there are double yellow lines along the Salisbury Road frontage which extend around the corner into Park Road just beyond the existing access point into the site. Through traffic is sign posted at the western end of Park Road directing traffic from Whitsbury Road along Park Road in view of one way restrictions to the eastern section of Green Lane to the south and this results in much through traffic as well as additional cars being parked in order to avoid paying car park charges in The Bartons car park which is nearby.

However, Park Road is not classified and planning permission would not be required in order to provide additional vehicular access points to the site (although it should be noted that a drop kerb application to the Highway Authority would be required). At present, given the current restrictions outside the property, it is possible to park up to four vehicles outside the site at present. Were the development to go ahead, it is likely that three of these spaces would be lost. Whilst this is unfortunate, it should be noted that the public highway is for the passing and repassing of traffic rather than the provision of parking spaces.

Ecology/bio-diversity

The Wildlife and Countryside Act 1981 protects wildlife on development sites and confirms it is an offence to injure, kill or disturb wildlife species and their nests or habitats. It has been suggested that an assessment of bat roosting potential should be provided as the presence of bats in this area has been identified locally.

Development Plan policy, Government advice and emerging legislation all require an enhancement to on site biodiversity wherever possible. Given the site has a mature garden presently, it has been suggested that a preliminary ecological appraisal (PEA) is carried out for this site.

Without a PEA or bat report, it is not considered that the proposal has demonstrated that there would be no harm to protected species or that there would be no harm to biodiversity. Further, the loss of so much vegetation would conflict with the requirement of policy ENV4 as it would not successfully integrate the new development into the local landscape context.

Phosphate neutrality and impact on River Avon SAC

In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment was 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. However, Natural England have recently drawn attention to the fact that the submitted Appropriate Assessments (AA) rely on the delivery of the phosphate neutrality measures set out in the River Avon SAC – Phosphate Neutral Development Plan Interim Delivery Plan (Wood Environment & Infrastructure Solutions UK Limited – January 2019). The Interim Delivery Plan sets out mitigation measures for new development up to the end of March 2020, and thereafter relies on the delivery of the Wessex Water River Avon Outcome Delivery Incentive (ODI), if fully in place. Natural England's view is that, as the initial Interim Delivery Plan period has now concluded, the submitted AAs should not simply be rolled forward, at least without a valid evidence-based justification that provides the required reasonable certainty for phosphate neutrality. They also note that circumstances are different from those of when the Interim Delivery Plan was first agreed because of external developments in case law, notably the Dutch case (Joined Cases C-293/17 and C-294/17 Coöperatie Mobilisation for the Environment UA and Others v College van gedeputeerde staten van Limburg and Others).

With regard to current proposals Natural England agrees with the competent authority that the plan or project for new residential development, without mitigation, has a likely significant effect on the River Avon Special Area of Conservation (SAC). The site is also listed as a Ramsar site and notified at a national level as the River Avon System and River Avon Valley Sites of Special Scientific Interest (SSSIs). Listed Wetlands of International Importance under the Ramsar Convention

(Ramsar) sites are protected as a matter of Government policy. Natural England considers that impacts of phosphates on the Ramsar interest features are likely to be similar to the impacts on the SAC. As the Council cannot now rely on the Interim Delivery Plan to address phosphate levels in the River Avon, a further reason for refusal must be introduced.

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. Although the adverse impacts could be avoided if the applicant were to enter into a Section 106 legal agreement to secure a habitat mitigation contribution in accordance with the Council's Mitigation Strategy, no such legal agreement has been completed in this instance. As such, it is not possible, in respect of recreational impacts, to reach a conclusion that adverse effects on European sites would be avoided.

Developer Contributions

As part of the development, the following would need to be secured via a Section 106 agreement:

- Habitat Mitigation
- Air Quality Monitoring

As part of the development, subject to any relief being granted the following amount Community Infrastructure Levy would be payable:

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargeable Floorspace (sq/m)	Rate	Total
Dwelling houses	676.02	193.9	482.12	482.12	£80/sqm	£49,398.76 *
Subtotal:	£49,398.76					
Relief:	£0.00					
Total Payable:	£49,398.76					

11 CONCLUSION

Whilst the site provides scope for increasing the number of dwellings on this large plot, it is considered that the proposal would be a cramped form of development which would not offer the ability to provide adequate landscaping to mitigate against the level of hard surfacing proposed for so many units. This would be compounded by the bulk and massing of the dwellings resulting in an overdevelopment of the site.

12 OTHER CONSIDERATIONS

None

13 RECOMMENDATION

Refuse

Reason(s) for Refusal:

1. By reason of the number of proposed units, their siting within the plot and the level of associated hardsurfacing to the front of the dwellings, the proposal represents a cramped overdevelopment of the site with limited space to provide a meaningful landscaping scheme which would reflect the character of the area. The siting of the proposed dwellings would appear at odds with the general pattern of development in both Park Road (plots 1 & 2) and Salisbury Road (plot 6). This is compounded by the bulk and massing of each pair of semi-detached houses with little relief to their flank walls and the associated element of flat roof.

The proposal is therefore contrary to policy ENV3 of the Local Plan Part 1 as it is considered to be unsympathetic to its environment and context in terms of layout, spaces and landscape features.

2. By reason of the significant loss of vegetation and lack of any supporting ecological appraisal, the proposal would conflict with the expectations of policy DM2 of the Local Plan Part 2 and policy ENV4 of the Local Plan Part 1 in that it has not been demonstrated that the development would achieve a biodiversity net gain nor mitigate against harm to protected species.
3. The recreational and air quality impacts of the proposed development on the New Forest Special Area of Conservation, the New Forest Special Protection Area and the New Forest Ramsar site, would not be adequately mitigated, and the proposed development would therefore unacceptably increase recreational and air quality pressures on these sensitive European nature conservation sites, contrary to Policy ENV1 of the New Forest District Local Plan Part 1, Policy DM2 of the Local Plan Part 2 Sites and Development Management Development Plan Document and the Supplementary Planning Document - Mitigation Strategy for European Sites.
4. The proposal will result in a new unit of residential accommodation which will have an adverse impact through greater phosphates being discharged into the River Avon, thereby having an adverse impact on the integrity of the River Avon Special Area of Conservation (SAC), River Avon Ramsar site and River Avon System and River Avon Valley Sites of Special Scientific Interest (SSSIs). A precautionary approach is required to be adopted and in the absence of an Appropriate Assessment being carried out an adverse impact on the integrity of the SAC, Ramsar and SSSI cannot be ruled out. As such, the proposal does not accord with Regulation 63 of the Conservation of Species and Habitats Regulations 2017 in that at present there is no proof that the new dwellings will be phosphate neutral or that there is adequate mitigation in place. The proposal is therefore contrary to the provisions of the Conservation of Species and Habitats Regulations 2017, Policy DM2 of the Local Plan Part 2 Sites and Development Management Development Plan Document.

Further Information:

Vivienne Baxter

Telephone: 023 8028 5442



New Forest

DISTRICT COUNCIL

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

Claire Upton-Brown
Executive Head of Planning,
Regeneration and Economy
New Forest District Council
Appletree Court
Lyndhurst
SO43 7PA

PLANNING COMMITTEE

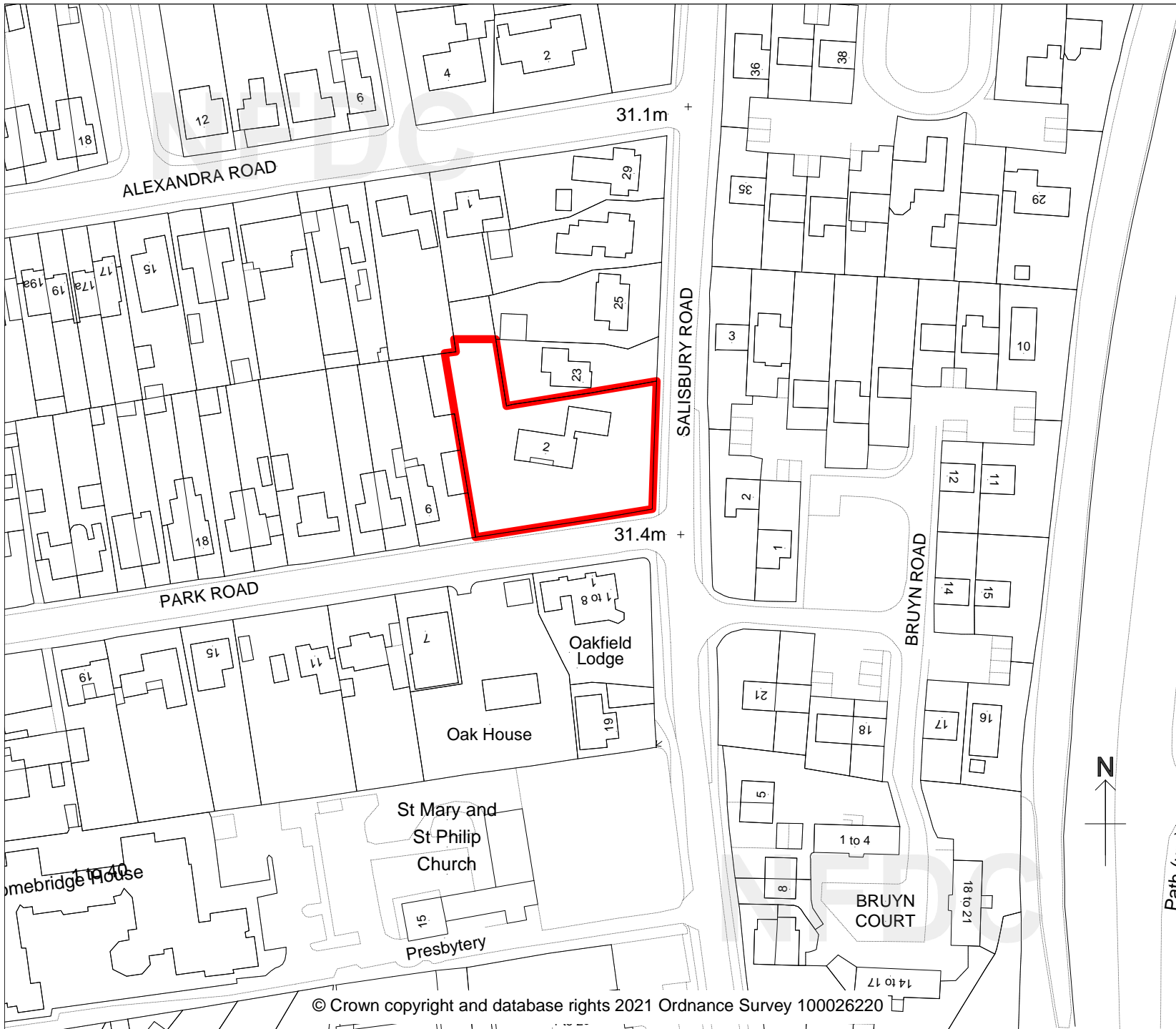
10 November 2021

2 Park Road
Fordingbridge

21/11194

Scale 1250

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



33

This page is intentionally left blank

Planning Committee 10 November 2021

Application Number: 21/11289 Full Planning Permission

Site: 87 WHITSBURY ROAD, FORDINGBRIDGE SP6 1LB

Development: Loft conversion and rear extension

Applicant: Mr & Mrs Rust

Agent: NLH Architects

Target Date: 09/11/2021

Case Officer: Jacky Dawe

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Impact upon the character and appearance of the area and street scene
- 2) Neighbour amenity

This application is to be considered by Committee because the officer's recommendation is contrary to the view of Fordingbridge Town Council

2 SITE DESCRIPTION

The application property is located within Fordingbridge's defined Built up Area and is also within an area that is covered by the Fordingbridge Town Design Statement.

The property is situated along a gravel service road that runs parallel to the main through road. This access serves a row of bungalows of similar design and material, they remain mainly as built, all retain the recessive hip roof form. The front is open with a gravel driveway.

The properties can be seen from the main Whitsbury Road. Behind the row of bungalows a row of trees provide a rural back drop. The Sweatsford water beyond the rear boundary is a landscape feature and provides a green corridor linking the countryside to the town.

3 PROPOSED DEVELOPMENT

Permission is sought for a two-storey rear extension and side dormer.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
07/89479 Conservatory	23/03/2007	Granted Subject to Conditions	Decided
XX/RFR/03247 13 bungalows and garages.	17/10/1955	Granted	Decided
XX/RFR/00262 Residential development.	07/04/1949	Granted Subject to Conditions	Decided

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy ENV3: Design quality and local distinctiveness

Policy ENV4: Landscape character and quality

Supplementary Planning Guidance And Documents

SPD - Fordingbridge Town Design Statement

Chap 12: Achieving well designed places

Constraints

SSSI IRZ Rural Residential

SSSI IRZ Water Supply

SSSI IRZ Waste

SSSI IRZ Minerals Oil and Gas

SSSI IRZ Infrastructure

SSSI IRZ Rural Non Residential

SSSI IRZ Residential

SSSI IRZ Wind and Solar Energy

NFSFRA Fluvial

NFSFRA Surface Water

SSSI IRZ Discharges

Meteorological Safeguarding

Aerodrome Safeguarding Zone

Flood Zone

Small Sewage Discharge Risk Zone - RED

Plan Area

SSSI IRZ All Consultations

SSSI IRZ Combustion

SSSI IRZ Compost

SSSI IRZ Air Pollution

Avon Catchment Area

Plan Policy Designations

Built-up Area

Landscape Feature

6 PARISH / TOWN COUNCIL COMMENTS

Fordingbridge Town Council

Recommend PERMISSION under PAR3, as the application is a good improvement to existing premises.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Natural England

Comment - no objection

Comments in full are available to view on the website

9 REPRESENTATIONS RECEIVED

No comments received

10 PLANNING ASSESSMENT

Principle of Development

Policy ENV3 - requires new development to achieve high quality design that contributes positively to local distinctiveness, quality of life and the character and identity of the locality.

Policy ENV4 - states trees, hedges and watercourses are of fundamental importance to the character. The landscape setting is a transition between the settlement fringe and the countryside, the importance of locally distinctive views should be maintained.

Fordingbridge Town Design Statement - states the Sweatsford water provides an important green corridor which links the countryside to the town.

Design, site layout and impact on local character and appearance of area

The original bungalow is modest in size and scale. The property currently sits comfortably in its plot. The proposed alterations to the building would result in a building which would not appear subservient to the main dwelling.

It is considered that due to the proposed extensions excessive form, scale, height and massing, it would result in a visually intrusive structure which would have an adverse impact upon the character and appearance of the area.

The extension increases the mass of the building which obscures the original form and scale which results in a building out of context in its environment which would appear overly dominant within the street scene.

The visual impact of this incongruous addition will be exacerbated by the simple, relatively uniform character of the other bungalows in this row. The lack of significant alterations to any of the properties in this area is unusual, but does serve to create a distinct character that contributes to the street scene. This character will be eroded by the erection of the proposed addition.

The land beyond the rear boundary is designated as a landscape feature within the Local Plan, views of this can easily be seen from the main Whitsbury Road, the proposal would detract from this view, by its raised height and the side dormer which competes with the rear extension and appears cramped and awkward. Also the only windows to this room created by the side dormer are obscurely glazed, which would not be acceptable for a bedroom/study.

Residential amenity

The proposed first floor side windows are obscurely glazed and face the roof of number 85, there is an existing roof light on this section of roof, the raised extension is close to the boundary with number 89, however their driveway and garage is adjacent to this shared boundary, there is only one high level window at ground floor, proposed to this side.

The proposal has been carefully assessed on site. Due to the spatial characteristics of the application site and the adjacent properties, the design of the proposed development, its location and positioning in relation to the common boundaries and

the neighbouring properties, the proposal would not cause unacceptable effects on the privacy, light and outlook available to the adjacent neighbours.

Biodiversity and Ecology

Householder developments are not exempt from the requirement to deliver biodiversity net gain as part of development. However, in proportion to the scale of the development, they can deliver features that will be valuable to wildlife and enhance local biodiversity. Additional planting of native species of shrubs and trees and the addition of bird boxes should be considered as a proportionate measure to address biodiversity net gain.

11 CONCLUSION

The proposed form, scale, mass and design would result in a building that is visually imposing in its setting to the detriment of the rural character and appearance of the area. The impact on the character of the area and dominance within the street scene justify a refusal in this instance.

The application has been considered against all relevant material considerations including the development plan, relevant legislation, policy guidance and government advice. On this occasion, having taken all these matters into account, it is considered that there are significant issues raised which leads to a recommendation of refusal for the reasons set out above in this report.

12 OTHER CONSIDERATIONS

None

13 RECOMMENDATION

Refuse

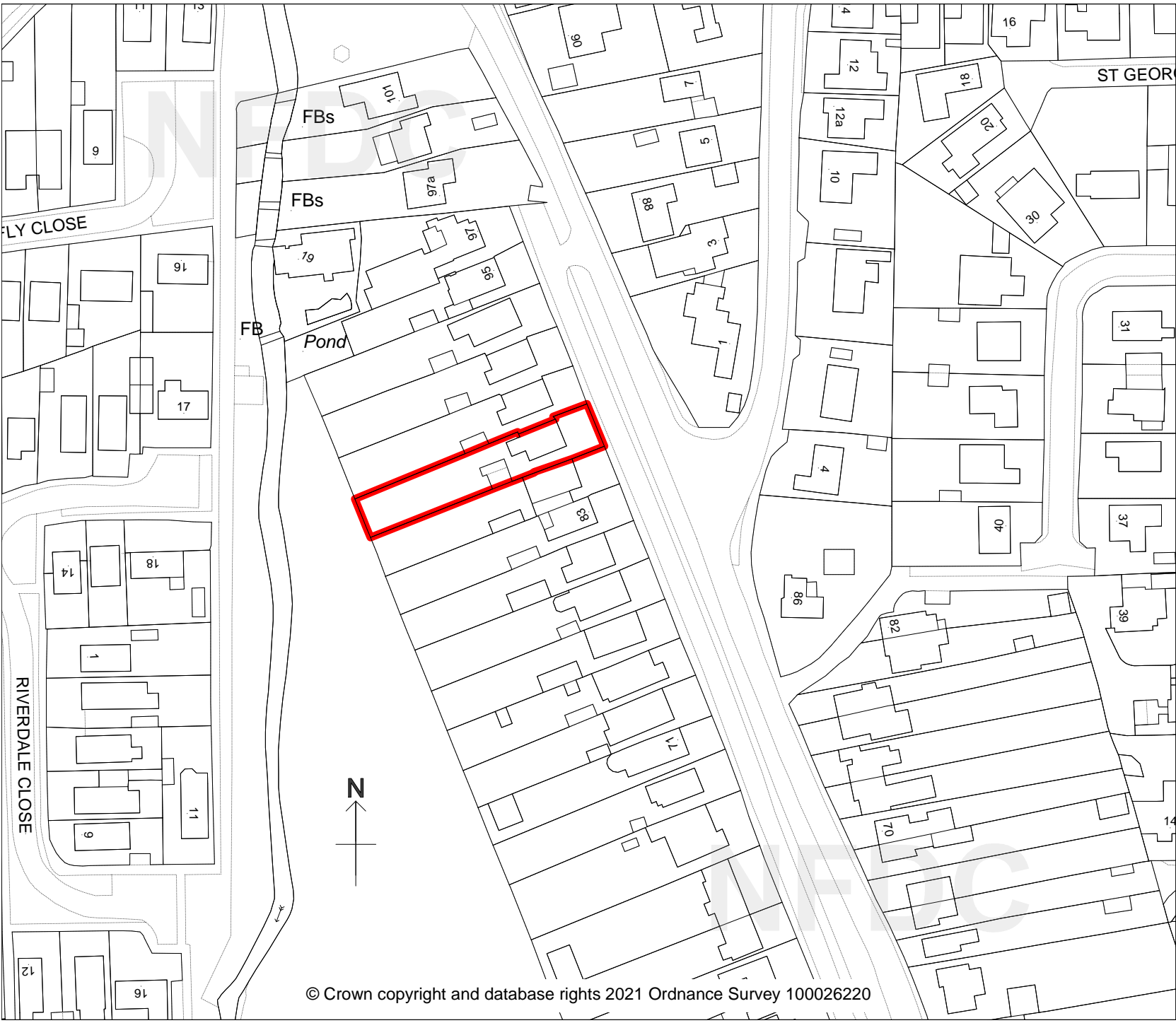
Reason(s) for Refusal:

1. By reason of its inappropriate form, excessive scale and mass, and unsympathetic design the proposed extension would result in an unduly visually intrusive form of development, disparate and incongruous in its setting, which would have a consequent adverse impact upon the character and appearance of the area, furthermore by virtue of its height and length would appear imposing within its setting detrimental to the existing street scene.

Therefore the proposed development would be contrary to Policy ENV3 of the Local Plan 2016 - 2036 Part 1: Planning Strategy for the New Forest District outside the New Forest National Park

Further Information:

Jacky Dawe
Telephone: 023 8028 5447



39



New Forest

DISTRICT COUNCIL

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

Claire Upton-Brown
 Executive Head of Planning,
 Regeneration and Economy
 New Forest District Council
 Appletree Court
 Lyndhurst
 SO43 7PA

PLANNING COMMITTEE

10 November 2021

87 Whitsbury Road
 Fordingbridge

21/11289

Scale 1250

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

This page is intentionally left blank

Planning Committee 10 November 2021

Application Number: 21/11331 Full Planning Permission

Site: 79 ALLENWATER DRIVE, FORDINGBRIDGE SP6 1RE
Development: Two-storey rear extension; first-floor side extension
Applicant: Mr & Mrs Rogers
Agent: Fields of Architecture
Target Date: 16/11/2021
Case Officer: Jacky Dawe

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Impact upon the character and appearance of the area and street scene
- 2) Neighbour amenity
- 3) Impact of development upon tree

This application is to be considered by Committee because the officer's recommendation is contrary to the view of Fordingbridge Town Council.

2 SITE DESCRIPTION

The application site is within the defined Built up Area of Fordingbridge and is within the area covered by the Town Design Statement Area. The property is located within an established residential area, situated towards the end of a no through road. It is a detached house with a timber clad front gable feature, an open front, block paving and attached garage. Beyond the rear boundary is public open space. There is an established Oak tree in the rear garden which is protected by a TPO.

3 PROPOSED DEVELOPMENT

Permission is sought for a first floor side and rear extension and a single-storey rear extension, use of garage as living accommodation, removal of garage door and creation of window together with recladding of part of front of house.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
08/92740 First floor side extension; new chimney	26/08/2008	Granted Subject to Conditions	Decided
83/NFDC/23610 24 dwellings and garages with roads and drainage.	29/06/1983	Granted Subject to Conditions	Decided
82/NFDC/22444 15 houses.	28/09/1982	Granted Subject to Conditions	Decided
79/NFDC/14011 24 houses and garages with roads and drainage.	18/01/1980	Granted Subject to Conditions	Decided

NFDC/75/03602 Residential development and access.	29/07/1976	Granted Subject to Conditions	Decided
76/NFDC/04662 94 dwellings with construction of estate roads.	29/07/1976	Granted Subject to Conditions	Decided
XX/RFR/13526 Residential development.	30/12/1970	Granted Subject to Conditions	Decided

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy ENV3: Design quality and local distinctiveness

Supplementary Planning Guidance And Documents

SPD - Fordingbridge Town Design Statement

Chap 12: Achieving well designed places

Constraints

SSSI IRZ Waste
 SSSI IRZ Water Supply
 SSSI IRZ Rural Residential
 SSSI IRZ Residential
 SSSI IRZ Rural Non Residential
 SSSI IRZ Wind and Solar Energy
 SSSI IRZ Minerals Oil and Gas
 Aerodrome Safeguarding Zone
 Avon Catchment Area
 Plan Area
 Meteorological Safeguarding
 SSSI IRZ Compost
 SSSI IRZ Discharges
 SSSI IRZ Infrastructure
 SSSI IRZ Air Pollution
 SSSI IRZ All Consultations
 SSSI IRZ Combustion

Tree Preservation Order: 9/03/T1

Plan Policy Designations

Built-up Area

6 PARISH / TOWN COUNCIL COMMENTS

Fordingbridge Town Council

Recommend PERMISSION under PAR3, as it maximises the living space.

7 COUNCILLOR COMMENTS

No comments received

8 **CONSULTEE COMMENTS**

Comments have been received from the following consultees:

NFDC Tree Team

Objection - based on close proximity of works to protected tree and lack of information

Comments in full can be viewed on the website

9 **REPRESENTATIONS RECEIVED**

No comments received

10 **PLANNING ASSESSMENT**

Principle of Development

Policy ENV3 - requires new development to achieve high quality design that contributes positively to local distinctiveness, quality of life and the character and identity of the locality.

Avoid unacceptable effects by reason of visual intrusion or overbearing impact, overlooking, shading, noise and light pollution or other adverse impacts on local character or residential amenity.

Enhance the sense of place by ensuring that buildings, streets and spaces are attractive to look at through good architecture, landscape and street design.

Fordingbridge Town Design Statement - states Allenwater Drive is mainly comprised of small rear gardens which are equal in area to the buildings. Carparking is at a premium here. There is a generous proportion of Public Open Space, which add to the openness and defines the character of the area. Materials are predominantly brick and tile, a proportion have timber cladding stained dark brown.

Design, site layout and impact on local character and appearance of area

The Fordingbridge Town statement highlights that Allenwater Drive has a high density of buildings to amenity space, therefore the open views to the Public Open Space behind the dwellings are of great importance and contribute to the character of the area.

The host dwelling has a larger area of garden than most, this is due to accommodation of the protected oak tree and its corner position.

The National Design Guide states Development should respond positively to its surrounding context and the site itself including scale, appearance, details and materials.

The proposal is unsympathetic to the existing dwelling and appears disproportionate to the existing form. There are no size restrictions within the built up area, however the proposed extension results in a wrap around with a mixture of styles, which does not relate to the existing dwelling.

The proposal creates a bulky rear protrusion that lacks cohesion, and is discordant in relation to the existing dwelling. Also the proposed extensions mixed roof styles create a juxtaposition.

The proposal is clearly visible from the front side and rear. As a result the positioning of the proposed extensions appear overly prominent and would appear inappropriate and imposing in its setting to the detriment of the character and appearance of the area. The proposals would be highly visible from the front, side and rear due to backing onto the Public Open Space. .

The proposed change of materials to grey cladding to the front protrusion and the use of the garage as living are considered acceptable but a split decision cannot be reached.

Landscape impact and trees

The extension would be sited within 5m of a mature Oak tree which provides significant amenity to the area. An arboricultural report has not been provided.

Specific details on how this extension would be constructed are required, to minimise the impact on this tree. Also there is not enough information with regards to the protection of the tree during construction.

Harm can be caused not only from the damage to roots but also the crown of the tree which could be significantly encroached upon by the proposed extension. This could lead to future pressure to prune the tree back.

There is also the perceived threat of branch failure and to alleviate the nuisance from acorns and leaf litter to be considered. Significant pruning could be detrimental to the health and amenity of the tree and could ultimately result in its premature removal.

Parking

The proposal does not create any further bedrooms, however the loss of the garage would remove one car parking space, the front is open and fully laid to block paving, although not detailed on the plans, there would be sufficient parking for up to 3 cars. Albeit an established tree is situated to one side of the drive.

Residential amenity

The north side facing rooflight serves an ensuite and could be conditioned to remain obscurely glazed and non opening under 1.7m from floor level.

The staircase window on the same wall although obscurely glazed could increase the sense of perceived overlooking, this could be mitigated by a condition to be fixed shut.

An expanse of blank wall created on the northern side elevation faces the rear garden of number 77, as already stated the amenity space for this road is limited, the proposal introduces a first floor blank wall along half the width of the rear boundary, however the proposal is 1m back from the shared boundary and relatively low with the roof pitching away.

There have not been any objections forthcoming and though it is accepted there would be a degree of harm, on balance it is regarded as not enough to warrant a refusal on these grounds.

The proposal has been carefully assessed on site. Due to the spatial characteristics of the application site and the adjacent properties, the design of the proposed development, its location and positioning in relation to the common boundaries and the neighbouring properties, the proposal would not cause unacceptable effects on the privacy, light and outlook available to the adjacent neighbours.

Biodiversity and Ecology

Householder developments are not exempt from the requirement to deliver biodiversity net gain as part of development. However, in proportion to the scale of the development, they can deliver features that will be valuable to wildlife and enhance local biodiversity. Additional planting of native species of shrubs and trees and the addition of bird boxes should be considered as a proportionate measure to address biodiversity net gain.

11 CONCLUSION

The proposed form, scale and appearance would result in a building that is visually imposing in its setting to the detriment of the character and appearance of the area.

The impact on the character of the area and dominance within the street scene justify a refusal in this instance.

The application has been considered against all relevant material considerations including the development plan, relevant legislation, policy guidance and government advice. On this occasion, having taken all these matters into account, it is considered that there are significant issues raised which leads to a recommendation of refusal for the reasons set out above in this report.

12 OTHER CONSIDERATIONS

None

13 RECOMMENDATION

Refuse

Reason(s) for Refusal:

1. By reason of its form, scale and appearance, the positioning of the proposed extensions appear overly prominent and would appear inappropriate and imposing in its setting to the detriment of the character and appearance of the area. The proposals would be highly visible from the front, side and rear due to backing onto the Public Open Space. .

Therefore the proposed development would be contrary to Policy ENV3 of the Local Plan 2016 - 2036 Part 1: Planning Strategy for the New Forest District outside the New Forest National Park

2. The proposed extension would be in close proximity of a mature Oak tree which provides amenity to the surrounding area.

It has not been demonstrated that the proposal would not encroach upon the root protection area or result in significant, unnecessary future pressure to prune or fell the tree.

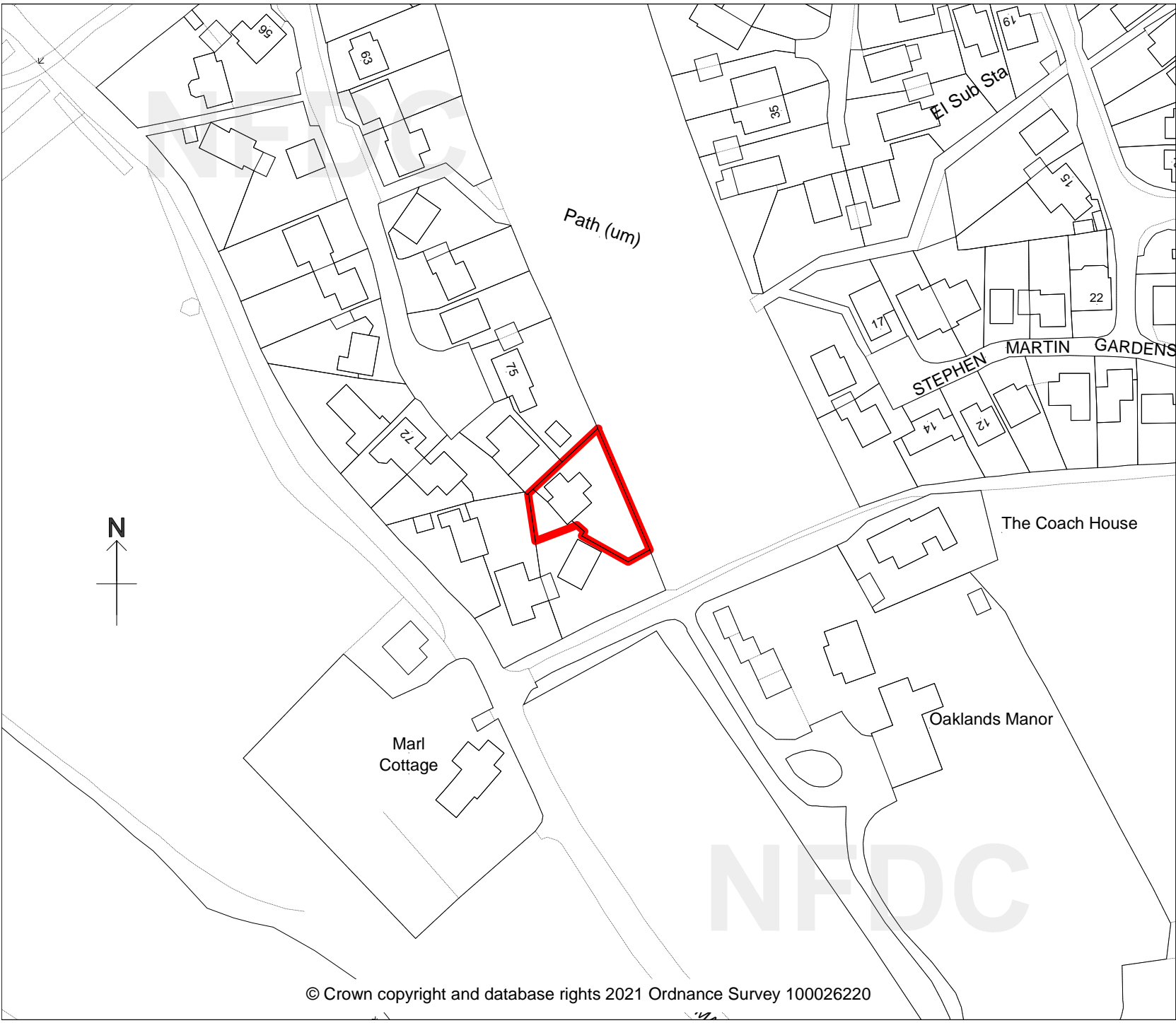
Therefore due to the proximity of the proposed extension to this tree, it is likely to lead to the loss of this tree which would be detrimental to the character and appearance of the area undermining its local distinctiveness.

The proposal is therefore contrary to Policy ENV3 of the New Forest District Council Local Plan Part 1: Planning Strategy.

Further Information:

Jacky Dawe

Telephone: 023 8028 5447



47



New Forest

DISTRICT COUNCIL

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

Claire Upton-Brown
Executive Head of Planning,
Regeneration and Economy
New Forest District Council
Appletree Court
Lyndhurst
SO43 7PA

PLANNING COMMITTEE

10 November 2021

79 Allenwater Drive
Fordingbridge

21/11331

Scale 1250

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

This page is intentionally left blank

PLANNING COMMITTEE – 10 NOVEMBER 2021

PROPOSED VARIATION TO COMMITTEE RESOLUTION - PLANNING APPLICATION 21/10693 TESTWOOD CLUB, 110 SALISBURY ROAD, TOTTON

1. RECOMMENDATIONS

- 1.1 It is recommended that the resolution of Planning Committee from 11 August 2011 in respect of application 21/10693 be amended to substitute the requirement to complete a Section 106 agreement with alternative arrangements to delegate authority to the Executive Head of Planning, Regeneration and Economy to secure:
- an obligation for the provision and retention of at least 35% of the homes as affordable housing.
 - an obligation to pay the relevant financial contributions (Habitat Mitigation, Bird Awareness and Air Quality) directly to the Council before any development commences on site.
- 1.2 Upon these obligations being secured, the planning approval shall be issued, subject to the planning conditions previously approved by this Committee.

2. BACKGROUND

- 2.1 Planning application 21/10693 was approved by the Planning Committee at the meeting of 11th August 2021.

The application sought permission to demolish the existing social club and erect 12 new homes. The application was submitted on behalf of the Council by the Council's Strategic Housing Manager. The Council is therefore both the applicant and local planning authority.

The Officer's recommendation for approval was supported by the Committee (extract from minutes below):

Decision:

Delegated Authority be given to the Executive Head of Planning, Regeneration and Economy to GRANT PERMISSION subject to a Section 106 agreement to secure the following:

- i) the provision and retention of Affordable Housing on the site in accordance with Policy HOU2 in perpetuity*
- ii) the financial contribution of £42,168 to secure recreational habitat mitigation*
- iii) the financial contribution of £5,298 to secure Bird Aware mitigation*
- iv) the financial contribution of £1,020 to secure Air Quality monitoring.*

3. PROPOSED CHANGE

- 3.1 Further discussions have taken place since the Committee meeting in respect of the proposed Section 106 agreement and the particular issue that occurs when the applicant is the Council as well also the Local Planning Authority (NFDC).

All Section 106 agreements require the inclusion a monitoring/enforcement provision to ensure that the obligations are met, and this would usually be the responsibility of NFDC as local planning authority. However, as NFDC is also the applicant/developer, then it is not possible for the council to enforce against themselves. It is possible to name another Local Planning Authority as the enforcing authority, but this can be a lengthy process and requires another authority to agree to take on the role.

Whilst it is preferable that a s106 agreement be completed, it is accepted that in these circumstances it might not be possible and other legal mechanisms may be necessary to secure the obligations required by policy.

One such option is to secure commitments from the landowner outside the s106 process to meet the obligations.

Officers consider that given the fact that the local planning authority and landowner are one and the same body, with both sharing the objective of delivering affordable homes within the district such an approach is appropriate in this particular instance. However, it would not be appropriate for schemes where the applicant is not the Council.

For further information contact:

Claire Upton-Brown
Executive Head of Planning and
Regeneration
023 8028 5409
Claire.upton-brown@nfdc.gov.uk

Background Papers:

Planning Committee report – 11 August
2021

Minutes of the Planning Committee – 11
August 2021