

NOTICE OF MEETING

Meeting: PLANNING COMMITTEE

Date and Time: WEDNESDAY, 11 DECEMBER 2024 AT 9.00 AM

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

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PUBLIC INFORMATION:

This agenda can be viewed online (<https://democracy.newforest.gov.uk>). It can also be made available on audio tape, in Braille and large print.

Members of the public are welcome to attend this meeting. The seating capacity of our Council Chamber public gallery is limited under fire regulations to 22.

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PUBLIC PARTICIPATION:

Members of the public are entitled to speak on individual items on the public agenda in accordance with the Council's [public participation scheme](#). To register to speak please contact Planning Administration on Tel: 023 8028 5345 or E-mail: PlanningCommitteeSpeakers@nfdc.gov.uk

Kate Ryan
Chief Executive

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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 November 2024 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) **SS17 Land to West of Whitsbury Road, Fordingbridge (Application 24/10651) (Pages 5 - 24)**

Construction of temporary access road, bridge and associated works, in connection with the construction of Phase 1 of Land west of Whitsbury Road (Application 21/10052) This application is subject to an Environmental Assessment

RECOMMENDED:

Grant subject to conditions

(b) **Barclays Bank, 6-8 High Street, Ringwood BH24 1BZ (Application 24/10746) (Pages 25 - 34)**

Change of use from financial services (Use Class E(c)i) to the provision of education (Use Class F1); rooflights; balustrade to terrace; fenestration alterations

RECOMMENDED:

Grant subject to conditions

(c) **Docharty, 51 Hampton Lane, Blackfield, Fawley SO45 1WN (Application 24/10247) (Pages 35 - 46)**

Conversion of single dwelling into two dwellings; associated external alterations (retrospective)

RECOMMENDED:

Delegated Authority be given to the Service Manager Development Management to **GRANT PERMISSION** subject to:

- i) the completion of a planning obligation entered into by way of a Section 106 Agreement or unilateral undertaking to secure those matters set out in the 'Developer Contributions' section of the report; and
 - ii) the imposition of the conditions set out in the report.
- (d) **Kennelmans Cottage, Windmill Farm, Harpway Lane, Sopley BH23 7BU (Application 24/10788) (Pages 47 - 52)**
Use of existing holiday let as dwelling

RECOMMENDED:

Grant subject to conditions

- (e) **50 Becton Lane, Barton-on-Sea, New Milton, BH25 7AG (Application 24/10510) (Pages 53 - 60)**
Proposed access off Becton Lane; creation of driveway and fencing

RECOMMENDED:

Grant subject to conditions

- (f) **The Granary, 4 Harbridge Court, Somerley, Ellingham, Harbridge & Ibsley, BH24 3QG (Application 24/10078) (Pages 61 - 72)**
Extension of living accommodation to replace x2no. bays of existing car port; rooflights and fenestration alterations

RECOMMENDED:

Refuse

- (g) **The Granary, 4 Harbridge Court, Somerley, Ellingham, Harbridge & Ibsley BH24 3QG (Application 24/10079) (Pages 73 - 84)**
Extension of living accommodation to replace x2no. bays of existing car port; rooflights and fenestration alterations; internal alterations (Application for listed building consent)

RECOMMENDED:

Refuse listed building consent

- (h) **7 Ivor Close, Holbury, Fawley SO45 2NY (Application 24/10799)
(Pages 85 - 92)**

Construction of 1.5 Storey building to create home office and home gym facilities

RECOMMENDED:

Refuse

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

4. 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, marriage and civic partnership, 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)
Barry Rickman (Vice-Chairman)
Hilary Brand
Kate Crisell
Philip Dowd
Matthew Hartmann
David Hawkins

Councillors:

Dave Penny
Joe Reilly
Janet Richards
John Sleep
Malcolm Wade
Phil Woods

Planning Committee 11 December 2024

Application Number: 24/10651 Full Planning Permission
Site: SS17 LAND TO WEST OF, WHITSBURY ROAD,
FORDINGBRIDGE
Development: Construction of temporary access road, bridge and associated works, in connection with the construction of Phase 1 of Land west of Whitsbury Road (Application 21/10052) This application is subject to an Environmental Assessment
Applicant: Pennyfarthing Homes Ltd
Agent: tor&co Limited
Target Date: 06/11/2024
Case Officer: Stephen Belli
Officer Recommendation: Grant Subject to Conditions
Reason for Referral to Committee: This site is one of the Council's Strategic Sites

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Principle of development
- 2) Landscape impact.
- 3) Highway safety and access
- 4) Flood risk - fluvial and surface water.
- 5) Impact on protected species
- 6) Impact on existing habitat mitigation recreation areas
- 7) Environmental impact through noise, dust, and air quality

2 SITE DESCRIPTION

The application site forms part of Strategic Site 17 *Land at Whitsbury Road* and comprises a parcel of land adjoining and connecting to Whitsbury Road directly opposite the junction to the new residential development now known as Augustus Park.

The application site is currently in use as part of the habitat mitigation recreation area connected to the Augustus Park residential development opposite. The site borders the former farm shop (now the Moody Cow Restaurant) to the north, Whitsbury Road to the east, and open land to the south and west. The site extends from the Whitsbury Road frontage leading south-westwards over the Sweatfords Water river and terminates at a point where it will join the yet to be constructed road approved under the earlier planning permission for 342 dwellings and highway infrastructure works (application 21/10052).

3 PROPOSED DEVELOPMENT

The application seeks full planning permission for a temporary construction access and bridge over the river. The plans indicate a new junction for two-way vehicular traffic being formed onto Whitsbury Road just to the south of the Moody Cow restaurant, leading to a single-track temporary bridge some 20m in length, with a further element of two-way construction road on the western side of the river. The proposed temporary construction road is approximately 7m wide at its widest point narrowing to 3.5m at the bridging point, and approximately 170m in total length. The existing pedestrian route through this part of the site will need to be removed to enable the construction of the temporary road and bridge to take place. A new path within the site from Whitsbury Road to the nearest existing boardwalk close to the Moody Cow will provide a link with the remaining public open space. The new footpath will run along the Moody Cow boundary to the north of the temporary road and bridge.

The bridge will be a steel bridge, and the road will be hardcore and tarmac finish.

The application is seeking temporary planning permission for the development but with no length of time specified. It is open to the Local Planning Authority to specify the length of any temporary planning permission.

The submitted details show a construction compound on land to the south of the application site to house welfare facilities for construction staff to include a portacabin and parking area for staff vehicles. The construction compound has already been formed by Wessex Water and was installed when the Water Authority recently carried out permitted development works to construct an underground sewage holding tank – approved in principle as part of the permission for 342 dwellings at site 17.

Wessex Water created a temporary vehicular access into the compound from Whitsbury Road. Whilst Wessex Water have now vacated the site, they will need to return to commission the new tank at some future date and hence have decided to leave the works compound area in situ particularly as it can be usefully used by the current applicant for their work once permitted. This construction compound is on land in the ownership of the applicant but partially outside the red line site. The land is already hard surfaced.

The plans show a new pathway running alongside the works area directly to the south of the Moody Cow boundary which connects to Whitsbury Road via an existing pedestrian gateway and then will run westwards to connect to the existing boardwalk installed under the Augustus Park development and which forms habitat mitigation recreation land for that development.

The application is supported by an updated Environmental Impact Assessment (EIA) which updates the earlier EIA submitted as part of the outline application 21/10052.

4 PLANNING HISTORY

24/10976 70-bed care home (use class C2); 8no. dwellings (use class C3), public open space, provision of an extended residential curtilage for 'Fairmile', new access to Whitsbury Road; closure of the existing access to Whitsbury Road; parking, landscaping, sustainable drainage, and other associated works.

SSs17 Land East Of Whitsbury Road, Tinkers Cross, Fordingbridge, Sp6 1nq – Highwood Ventures 19 Ltd.

Application not yet determined.

24/10809 Reserved matters application for 74 residential dwellings and associated Alternative Natural Recreational Greenspace, public open space and ancillary infrastructure, and discharge of conditions 7,12,15,17,18,21,22,23,25,27,28,29,30,31, 32,33,34,36,38,40 & 41. (Details of appearance, landscaping, layout & scale, pursuant to Outline Planning Permission 21/10052)

Land To West Of, Whitsbury Road, Fordingbridge – Pennyfarthing Homes

Application not yet determined.

21/10052 Residential development and change of use of land to Alternative Natural Recreational Greenspace and all other necessary on-site infrastructure (Outline planning application all matters reserved except means of access only in relation to a new point of vehicular access into the site)

Land To West Of, Whitsbury Road, Fordingbridge – Pennyfarthing Homes

Approved subject to S106 - 06/09/24 – development not yet commenced.

20/11469 Erection of 64 dwellings, change of use of land for Alternative Natural Recreational Greenspace, new accesses onto Whitsbury Road, and all necessary on-site infrastructure.

Land At Tinkers Cross, Whitsbury Road, Tinkers Cross, Fordingbridge Sp6 1nq– Pennyfarthing Homes

Approved 02/11/2022 – site under construction with completion due in summer 2025.

17/10150 Development of 145 dwellings comprised: 39 detached houses; 31 pairs of semi-detached houses; 1 block of 8 flats; 1 block of 7 flats with terrace of 3 houses; 1 block of 7 flats; 1 terrace of 6 houses; 2 terraces of 5 houses; 1 terrace of 3 houses; garages; parking; SANG; public open space; access onto Whitsbury Road; associated infrastructure; associated development works; landscaping.

Land In Whitsbury Road, Fordingbridge Sp6 1nq

Development completed and open space and recreation land currently being transferred to the District Council.

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part One: Planning Strategy

Strategic Site SS17: Land at Whitsbury Road, Fordingbridge

STR1: Achieving Sustainable Development
ENV1: Mitigating the impacts of development on International Nature Conservation sites.
ENV3: Design quality and local distinctiveness
ENV4: Landscape character and quality
CCC1: Safe and healthy communities including flood risk.
CCC2: Safe and Sustainable Travel

Local Plan 2014 Part Two

FORD1 – allocation policy relating to Augustus Park development (as permitted by 17/10150) including recreational land for habitat mitigation purposes.

DM2: Nature conservation, biodiversity and geodiversity

Relevant Legislation

Town and Country Planning Act 1990

Planning and Compulsory Purchase Act 2004

Habitat Regulations 2017

Environment Act 2021

Relevant Government advice

National Planning Policy Framework December 2023 (NPPF)

6 PARISH / TOWN COUNCIL COMMENTS

Fordingbridge Town Council

Councillors discussed the ANRG provision during these works and raised concerns regarding the type of ANRG, the proposed locations and the access. Cllr Lewendon proposed and it was seconded by Cllr Millar and therefore RESOLVED: to recommend REFUSAL under PAR4 as there is no evidence how the extra area of ANRG will be accessed. Councillors noted the difficulty accessing the proposed ANRG from the existing area.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

The following comments are in summary of those that have been received.

Archaeology – no objections

Whilst this area of Site 17 has not been subject to investigation the majority of the main application site has and no significant archaeological finds have been encountered. No requirement on this occasion for any conditions.

Cranborne Chase National Landscape – No objection in principle

Concerns expressed regarding construction lighting and impact on the International Dark Skies Reserve. The applicant should provide further confirmation that suitable safeguards will be incorporated, and that lighting proposed will be in line with Environmental Lighting Zone E1.

Environment Agency – No objection subject to condition.

We have no objections to the construction of temporary access road, bridge and associated works as submitted, provided that the following condition be attached to any planning permission granted, and that the details in relation to the conditions be submitted and approved by the Local Planning Authority.

1. No in channel works during period 1 November to 30 April

As the applicant has concluded we agree that due to the temporary nature of the road and bridge it would not be necessary for floodplain compensation to be provided for the temporary road and bridge but draws attention to condition 13 of the outline permission requiring flood compensation areas to be completed, and that future maintenance of flood alleviation works is agreed prior to first occupation. Regarding the provision of a new temporary bridge this will require a separate Flood Risk Activity Permit from the EA. Application not yet submitted. Biosecurity measures should be included in the CEMP.

Define 'in channel' works which relates to the riverbed and the normal width of the river but not extending beyond the top of the river bank. Considers the proposed works for the temporary bridge do not affect the river channel. LPA to satisfy themselves on any other works. Note that silt traps are to be provided which is supported. Notes also the updated water vole survey and that the CEMP has been updated

Hampshire and Isle of Wight Fire Service – No comments

Hampshire County Council (HCC) Highway Authority - No objections

Temporary access needs to be managed by construction operative to avoid vehicles waiting on the public highway. Proposed access shows acceptable visibility. There are no road safety concerns following submission of a Road Safety Audit. A Construction Traffic Management Plan (CTMP) and construction method statement needs to be reviewed for this development rather than rely on the earlier document produced for the outline application.

Confirms that the development will require a Section 278 Agreement from the Highway Authority as it involves work on the public highway.

Notes an updated and amended CTMP and Construction Method Statement has now been submitted.

Confirmed on 21/11/2024 that there are no objections to CTMP and method statement.

HCC Local Lead Flood Authority (LLFA) - No objections

We have reviewed the information submitted and flood modelling has been undertaken to assess the impact of the development. Given that the changes are minimal and contained within land under the control of the applicant we have no objection to the application.

HCC Countryside Service (Rights of Way) – No objections

There are no public rights of way within the site and those that are present on the main site are not affected by this proposal.

HCC Public Health – No objections

Supports need for traffic management plan, CEMP to protect against noise and odour and air quality impacts, and any ecological harm.

Natural England - No objection subject to appropriate mitigation being secured. The CEMP should have mitigation measures to avoid harm to protected species. A Habitat Regulation Assessment (HRA) is required to be completed by the LPA. NE agrees with the shadow HRA submitted.

Nature Space Partnership – No objections subject to informative note.

We agree with the conclusion of the submitted ecological reports and that due to the distance between the positive great crested newt record and the site, they are unlikely to be present and impacted by the works. However, the application site lies within a red impact zone as per the modelled district licence impact map, which indicates that there is suitable habitat for great crested within the area surrounding the application site, specifically the hedgerow. Therefore, recommend the use of the standard informative.

New Forest District Council (NFDC) Conservation - No objections

This current application for a haul road is shown on the site location plan (TOR-P001) to join Whitsbury Road. This is some distance from the heritage assets at Sande Manor to the south and is sited adjacent to the Arch Farm Industrial Site. The current proposal in itself is not therefore considered to impact the setting of the heritage assets.

NFDC Ecologist - No objections

Updated survey work for wildlife should be incorporated into the CEMP. A shadow HRA has been carried out which has been considered by Natural England concluding no adverse effects on wildlife species subject to appropriate mitigation being included in the CEMP. No objections to the proposal for alternative ANRG for the Ford1 site.

No impact on Great Crested Newts subject to informative emphasising need to protect and not ham any that are encountered during the development, including the possibility of a license being needed. No adverse impact on other protected species subject to mitigation being included in the CEMP.

Further advice provided on the need for statutory Biodiversity Net Gain and the mechanism for achieving this.

Query on tree removal and potential bat roost.

NFDC Environmental Protection (Contaminated Land) – No objections

Recommend that watching brief condition is imposed to deal with any potential contaminated land that may be encountered during the development.

NFDC Environmental Protection (Pollution) – no objection subject to further details on dust management being conditioned.

In order to assist in the submission, and as expected as part of an appropriate dust management plan, the applicant is requested to provide a map showing the potential dust impact boundaries from the construction site in terms of earthwork's/ construction (ie 250m from the development site boundary) and for trackout on the proposed construction vehicle route. This is required before Environmental Health (pollution) will accept the submitted dust management plan.

The applicant is also advised that the dust mitigation measures being proposed in the CEMP do not align completely with those stated in the Ecological CEMP which forms part of the same submission. For example, there are differences in burning on the construction site, with the CEMP advising burning is to be avoided, and in the Ecological CEMP burning is forbidden. Such differences will limit potential assessment and enforcement of agreed CEMP documents.

Environmental Protection are content to accept a condition to confirm the final details of the dust management and mitigation plan.

NFDC Landscape – No objections subject to conditions being resolved on outline permission.

Recommends that existing pedestrian bridge be re-instated following the removal of the temporary construction bridge. Compensatory ANRG will be required to be in place prior to any works taking place on the temporary bridge. Final landscape conditions to be agreed as part of the outline permission. No landscape harm from this proposal, however.

NFDC Trees - No objections subject to conditions

Trees losses - A group of trees consisting of Goat Willow and thorn will be lost to this proposal. These trees are of small stature and the removal of these trees will not have a significant effect on the wider amenity of the site. The loss of these trees can be mitigated through tree planting as part of the landscaping scheme for the wider development of the site. A dead Alder tree (T79) will also be removed. The tree protection measures should reduce the adverse impact on the retained trees on site to an acceptable level.

9 REPRESENTATIONS RECEIVED

Two letters received raising the following points.

- Existing Whitsbury Road must be kept free of mud and other debris from construction traffic.
- Mitigation works to compensate for the loss of access to ANRG and SANG land must be in place prior to any other works taking place.
- All necessary infrastructure and mitigation should be in place and timetables for their implementation adhered to with no slippage as has happened on other sites.

10 PLANNING ASSESSMENT

Principle of development

The site forms part of Strategic Site 17 which is allocated for residential

development in the adopted New Forest Local Plan 2020. The application site is within part of a wider site granted planning permission for 342 dwellings in outline and part detailed form under application 21/10052.

The principle of development on the wider Local Plan Allocation site is therefore established.

The earlier permission 21/10052 included in detail a new roundabout on Whitsbury Road, a new bridge over Sweatfords Water and a new estate road connecting Whitsbury Road with the residential zone part of the site to the south-west. Whilst planning permission has been granted for this development there are a number of conditions that require further details to be submitted and approved before work can commence. In addition, the new roundabout and road including the river bridge will require a Section 278 Agreement and a Section 38 Agreement with Hampshire County Council prior to any works taking place on the public highway.

The current application seeks planning permission for a temporary period for the construction of a temporary road access and river bridge which will essentially run parallel to the approved road line and bridge from Whitsbury Road to the southwest for approximately 170m in length. The proposal is intended to ease the logistical issues identified by the applicant surrounding the building of the new access roundabout on Whitsbury Road, the bridge and new estate road, as well as potentially enabling earlier access to the residential zone where the proposed houses are to be constructed. The temporary access and bridge will allow the developer to gain access to the land to the south of the proposed permanent bridge and roundabout and to facilitate the construction of this access infrastructure within the site concurrently with the remainder of the estate road and the delivery of homes. This could be more efficient and allow the construction of the highway infrastructure works to continue apace as soon as the relevant permissions from both the District and County Councils have been granted.

The applicant has confirmed in writing that whilst it is their intention to commence construction of the temporary access road and temporary bridge works in May 2025, they will not proceed any further with construction of any of the road to the residential zone until such time as all the necessary conditions on the outline application are approved/discharged. This includes the submission of the final details of the access road, roundabout and bridge, and a detailed landscaping scheme. The new roundabout and road will also require a Section 278 Agreement as it involves work on the public highway.

It should be noted that there is no presumption that a temporary grant of planning permission will then be granted permanently.

It is therefore considered that the principle of development in this case is well established and in line with Local Plan Policies STR1 and Site 17 Policy.

Landscape impact.

Policy ENV 3 requires development to be appropriate and not harmful to environmental factors as well as being appropriate in design terms. The site has been the subject of a wider landscape impact assessment as part of the outline application 21/10052, and this assessment has been updated for the current application. The development has a much narrower impact on landscape being limited to the area immediately viewed from Whitsbury Road and accepting that the impact is for a temporary period. The proposal will have an additional landscape impact over that already assessed in the outline application. However, the trees being removed are assessed as being minor trees of no landscape importance. The

short-term landscape impact will result in a further degradation of that which originally existed, but this can be remedied in accordance with a condition requiring the removal of the temporary bridge and road and the site to be restored and landscaped in accordance with an agreed scheme.

Furthermore, the wider scheme and road infrastructure works to be provided to permanently serve the homes at Site 17 were the subject of a landscape condition; details of which are to be submitted pursuant to the conditions imposed on the outline permission. There are therefore no objections on landscape grounds. With regard to protected landscapes neither the New Forest National Park nor the Cranborne Chase National Landscape will be adversely impacted by the proposed development. The latter organisation commented on the impact on the International Dark Skies Reserve but in this case, the applicants have confirmed there will be no working within dusk to dawn so the impact of any lighting on the site will not apply. Any hours of work will be set out by condition below. A separate condition is recommended requiring any artificial lighting of the site to be agreed so the impact on Dark Skies Reserve can be dealt with as part of that condition.

The proposal is therefore considered to be in line with Local Plan Policies ENV 3 and ENV4

Highway safety and access

Policy CCC2 requires development to be acceptable in highway safety terms. The views of the Highway Authority (HA) are set out above. In essence they have considered the highway safety impact of the works and consider the proposal is acceptable.

The HA has requested a Construction Traffic Management Plan (CTMP) and Construction Method Statement (CMS).

The Local Planning Authority (LPA) can condition the planning permission be carried out in accordance with any CTMP that may be approved.

The CTMP and CMS submitted on 15 and 14 November 2024 sets out a works compound on land previously developed by Wessex Water as part of the installation of the sewage holding tank. The compound includes parking for staff and a single portacabin block providing an office and welfare facilities.

The CTMP sets out hours of work and delivery times to the site. Hours of work will be limited to 0800 hours to 1800 hours on Monday to Fridays, 0800 to 1300 hours on Saturdays and no work on Sundays or Bank Holidays. In addition, the CTMP states that peak school times will be avoided by delivery vehicles with no deliveries between 8.30am to 9.30am, and 3pm to 4pm. The CTMP confirms a maximum of 25 HGV vehicles into the site and 25 HGV movements out in any one day in association with the temporary road and bridge. All delivery vehicles will be sheeted, and wheel washing will take place to ensure the adjoining roads are kept free of mud. Road sweepers can also be deployed if necessary. It is further considered that deliveries to the site should only take place after 8am to avoid disturbance of nearby residential properties.

The CTMP sets out that once the temporary bridge is in place and operational, a turning space will be formed within the site, and maintained clear of vehicles, plant and materials to ensure that all vehicles access the temporary access and highway in forward gear. All contractor parking will be contained on site with no parking allowed in surrounding roads or footpaths or on grass verges. Six parking spaces are shown on the CTMP plan submitted. Prior to commencing use of any of the

above routes a condition survey of all surrounding roads will be undertaken, and damage caused by construction vehicles rectified. A banksman will be employed on site to ensure that traffic is managed without adverse impact or waiting vehicles on any of the adjoining roads.

Phasing of development

The CTMP provides the following information with regard to how the work will be phased -

Phase 1 –the temporary construction access will be used to provide access to the site. No works beyond the temporary construction access will commence until the relevant approvals have been secured.

Outside of this application and dealt with in details pursuant to the outline permission.

Phase 2 – the bridge, bridge approach roads and part of the roundabout will be built (i.e. the sections not within the existing highway and sections which are not required for the temporary construction access). Whilst this is being built the temporary construction access will continue to be used.

Phase 3 –a tie-in arrangement will be delivered to connect the permanent bridge and bridge approach roads into Whitsbury Road. At this point the temporary construction access to the site will be closed.

It is recommended that a further phase is set out as follows. This can be required by condition in so far as it relates to the current application site. The restoration of the wider area is dealt with via condition on the outline planning permission.

Phase 4 – restoration of existing FORD 1 SANG area remaining once the final detailed plans for the permanent road, roundabout and bridge have been agreed by the Local Planning Authority, and in accordance with an approved final landscaping plan.

The applicants have suggested that the proposed temporary access works are to commence in May 2025 and will take approximately 4 months to complete following which works can commence on the permanent highway infrastructure works subject to approvals being in place for the roundabout, bridge and main road to the first residential zone part of the site.

The recommendation set out below will be for a maximum temporary permission period of three years from the date of permission and shall require the full restoration of the FORD 1 SANG area within the application site (excepting any approved associated highways works) within a specified timeframe.

The Highway Authority have now formally approved by letter dated 21 November the amended CTMP and CMS and it is considered that the proposal complies with Local Plan Policy CCC2 which requires a safe means of access for all development.

A separate Construction Environmental Management Plan (CEMP) has also been submitted to deal with noise, dust and air quality, and ecological issues arising. (See report below)

Flood risk and surface water assessment

Policy CCC1 requires that development has no adverse impact on flood risk. Part of the site lies within flood zone 3 (highest flood risk) being part of the Sweatford Mains River corridor and functional flood plain. The eastern part of the site between the

river and Whitsbury Road lies in flood zone 1 (lowest risk for flooding). The application has been accompanied by a Flood Risk Assessment (FRA). The Environment Agency's online flood risk from surface water mapping shows that the majority of the wider *Land west of Whitsbury Road* site and the eastern and western edges of the temporary access road site are at very low risk of surface water flooding. There are areas of medium and low risk associated with the extent of the Sweatfords Water floodplain. There are also a few areas of locally elevated risk around the perimeter of the wider site, associated with topographic depressions.

The Environment Agency and the Hampshire Local Lead Flood Authority (LLFA) have been consulted on the application and their views are set out above. Local Plan Policy Strategic Site 17, which allocates the wider *Land west of Whitsbury Road* site for development, requires the overall development to help deliver enhanced flood management for the wider town by integrating the management of fluvial, surface and groundwater flood risk for development at the site and the nearby Site 18 Local Plan allocation *Land at Burgate* into the design and management of landscape and greenspace. The Local Plan policy requires the preparation of a detailed site-specific FRA. The wider site 17 planning permission contains conditions requiring the development to be carried out so as to include flood compensation storage areas around the area of the permanent bridge. These details have already been agreed with the Environment Agency under 21/10052.

Notwithstanding these wider works the FRA submitted assesses the impact of flooding from the temporary bridge and road works.

There will be a short-term loss of flood storage due to the change in levels required for the temporary access road. The effects of this have been assessed via hydraulic modelling. There is also the potential for flooding of the temporary access road itself where it passes through the floodplain of Sweatfords Water. The loss of floodplain storage associated with the proposed earthworks has been minimised as far as possible by proposing a clear span bridge that allows the watercourse to maintain its usual flow without any significant earthworks within its banks. The short lifespan of the proposed development means that no floodplain compensation is considered necessary.

The road may in itself increase surface water run off but a ditch on either side of the road will channel water towards the river and will include siltation traps to avoid contaminated material or silt entering the water course. The bridge itself will be raised by 1m to lift it above the 1 in 100 years flood risk plus allowance for climate change.

The proposed temporary surface water drainage system has been designed to cater for the peak rainfall intensity for a 1-in-5-year storm without overtopping. An allowance for climate change has not been included because of the proposed development's short lifespan.

The Environment Agency have considered the FRA and the EIA and confirm they have no objections. The proposed temporary road and bridge will need to be removed as soon as possible – this is covered by a planning condition set out below.

Impact on protected species and biodiversity net gain (BNG)

a) Protected species

Saved Local Plan 2014 Policy DM2 seeks to protect species of fauna and flora that are protected under national or international law as well as to encourage biodiversity enhancement.

The Council's ecologist has considered the impact on such protected species and confirms no objection subject to the development being carried out in accordance with the latest CEMP dated November 2024 which covers any potential adverse impact on fauna as well as impacts on human health (see below). The CEMP considers the impact on nesting birds, bats, other mammals such as badgers, reptiles including great crested newts, otters and water voles. For each species the CEMP puts forward suggested mitigation measures. In addition, any adverse impact on water quality to avoid harm to protected species is also considered. Finally, a range of environmental impacts arising out of construction noise, vibrations, dust and pollutant run off are also considered. The aim of the CEMP is to protect the ecological interests of the site and the wider site including other water systems in the area.

In response to the NFDC ecologist's comments a revised Ecological Impact Assessment has now been issued which addresses these concerns. Natural England and the Council's Ecologist raise no objections to the development, and it is considered that subject to the development being carried out in accordance with the CEMP there is no conflict with Saved Local Plan policy DM2. Matters of biodiversity enhancement are dealt with below.

b) Biodiversity enhancement and statutory net gain (BNG)

The Environment Act and Town and Country Planning Act 1990 now require all major and minor development sites of this nature to provide for a minimum of 10% net gain in biodiversity when measured against the pre- development status of the land.

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority,
- and
- (b) the planning authority has approved the plan.

Should the LPA be minded to grant planning permission it will require the submission and approval of a Biodiversity Gain Plan before development is begun. This will be achieved via the Statutory Condition applied to all major and minor planning permissions following the enactment of Statutory Biodiversity Net Gain in the Environment Act.

BNG can be achieved either on site, off site, or on other land owned or not owned by the developer. Opportunities for the purchase of BNG offsetting credits are now available through the Kingwell site at Keyhaven. If the applicant chooses to use part of their own land or other land not currently registered with Natural England as a credit site, then such a proposed site would need to be secured by a separate planning obligation and registered with Natural England as a net gain site. Such a site would then be subject to monitoring and management over a minimum 30-year period. The planning obligation would need to include a suitable monitoring and management plan to be submitted and approved, and a contribution towards the Council's costs in ecological monitoring. In the case of purchase of offsetting credits from Kingwell (or the Government's own national BNG scheme) it is simply a matter of establishing the number of credits required and proof of purchase being given to the LPA.

In this case the applicant has no room within the existing red line site to provide BNG. The applicant is exploring options either to use a parcel of woodland and other land elsewhere on Site 17, or to purchase credits from the Kingwell site. At this stage however given the statutory condition applied there is no requirement for the LPA to have resolved and finalised this matter.

Impact on existing habitat mitigation recreation areas

Local Plan Policy ENV1 seeks to mitigate any harmful impact on protected areas and species arising out of any additional recreational development caused by new residential development. Added to this Saved Local Plan Policy FORD1 allocates the land opposite the site for housing development subject to recreational mitigation land forming part of that proposal and being protected in perpetuity to serve the development now completed and known as Augustus Park.

Fordingbridge Town Council have recommended the application for refusal for the following reasons.

Councillors discussed the ANRG provision during these works and raised concerns regarding the type of ANRG, the proposed locations and the access as there is no evidence how the extra area of ANRG will be accessed. Councillors noted the difficulty accessing the proposed ANRG from the existing area.

This proposal on its own does not create any new residential development that needs to be mitigated but it does involve the loss of land used for mitigation purposes for the residential development opposite the site. The proposed temporary construction road and bridge will impact this recreational facility.

Condition 8 of permission 21/10052 requires a new woodland walk facility to be built through Site 17, including land due north of the application site, to act as compensatory provision for any lost recreational land. Condition 8 requires this compensatory provision to be approved and in place for public use prior to the commencement of development including any highway works or site clearance pursuant to that permission. This application does not affect the applicant's ability to comply with this condition on 21/10052.

The partial loss of recreational land caused by this application is however only temporary, and it will be re-instated to an agreed state on removal of the temporary road and bridge. The developers have pointed to the fact that the adjoining Tinkers Cross ANRG land is now available and being used by residents of the FORD 1 site and this is considered to be acceptable in the short term as that site has only currently 14 dwellings in occupation out of the 64 dwellings approved. There is therefore habitat mitigation capacity in the short term. In the longer term the complete area covered by the permanent road works will be restored in line with a landscaping scheme to be agreed as part of the wider outline permission. In the meantime, however suitable compensatory provision required by condition 8 of the outline permission is currently under consideration and separate to this application.

Environmental impact through noise, dust and air quality

A Construction and Environmental (and Ecological) Management Plan (CEMP) has been submitted and a revised updated version now submitted to accompany the application. Local Plan Policies ENV3 and CCC1 seek to guard against any development creating or causing pollution or environmental impacts that adversely affect human health.

The Council's Environmental Protection team raised a number of issues with the earlier version of the CEMP but with the revised CEMP it is considered that any issues associated with noise and other pollutants can be effectively dealt with and managed through the approval of the CEMP which sets out safeguards to prevent such environmental impacts adversely affecting local residents.

The Environmental Protection team have recommended that a dust management plan be submitted for approval, and that the hours of operation as set out in the CEMP and CTMP are slightly amended so that construction work does not start on site before 8am.

With regard to contaminated land the Environmental Protection team suggest a watching brief condition to deal with any unexpected contamination arising through the development. A condition is recommended to cover this matter.

CONCLUSION AND PLANNING BALANCE

The principle of development is established with the allocation of the site for development under Strategic Site 17 in the New Forest Local Plan, together with the grant of planning permission in outline for 342 dwellings on the adjoining land. The proposed development seeks to assist in bringing forward the necessary permanent highway works infrastructure in a manner that will be phased and agreed by condition. The development raises no significant environmental concerns that have not been addressed or that cannot be dealt with by planning conditions. The concerns raised by the Town Council and local residents have been carefully considered but the amended details now received together with further details required by condition have dealt with these concerns.

It is considered that the application proposals comply with Policies STR1, CCC1, CCC2, ENV3 and ENV4 in the New Forest Local Plan 2020, and Policy DM2 and FORD1 as set out in the New Forest Local Plan Part Two 2014 and that the balance on this occasion is therefore one of approval.

11 RECOMMENDATION

Grant Subject to Conditions

Proposed Conditions:

1. Standard Time amended to one year Implementation Period.

The development hereby permitted shall be begun before the expiration of one year from the date of this permission.

Reason: To comply with Section 72 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004. It is considered that a shorter period for implementation is appropriate to require the scheme to be implemented and restoration to take place as soon as possible in the interests of the character and appearance of the area

2. Temporary Permission and Restoration

The permission hereby granted shall be for a limited period expiring three years from the date of this decision, on or before which date the use of the land for the siting of all temporary accesses used in connection with the works shall be discontinued permanently and the site shall be restored in accordance with a restoration scheme which has first been submitted to and approved in writing by the LPA

This restoration shall include –

- The hard landscaping details to be submitted including siting and materials for all restored pedestrian bridges, boardwalks and pathways.
- The soft landscaping scheme shall specify species, planting sizes, spacing and numbers of trees/shrubs to be planted.
- A timetable for implementation and details of future management and maintenance of both hard and soft landscaping

The landscaping works approved shall be carried out in accordance with the approved implementation details. Any trees or plants which, within a period of five years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. The development shall be managed and maintained thereafter in accordance with the approved details

Reason: The development is of a type not considered suitable for permanent retention and to restore the prior appearance of the site in the interests of local visual amenity. In order to protect the general amenity of the area in accordance with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

3. Plans List

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

P001 – Site location plan

T01 – Vehicle bridge general arrangement plan

ITB 2264 GA 437 CTMP site layout plan

ITB 2264 GA 411 L – General arrangement plan

ITB 2264 GA 437 REV L – Construction Access plan

23131 6 Tree protection plan

ITB12264-GA-414 - Public highway plan

ITB12264-GA-415 - Swept path large vehicles

ITB12264-GA-415 - Swept path articulated vehicles.

ITB12264-GA-417 – Swept path estate car

DR C 00003 - General arrangement drainage plan

DR C 00004 – Cross sections and long sections

ENV ST CH 2 FIGURE 2.2D – Road drainage plan

Construction Access Statement dated 14 November 2024

Construction Traffic Management Plan rev 2 dated 14 November 2024

Construction and Environmental Management Plan dated November 2024

Reason: To ensure satisfactory provision of the development.

4. Environment Agency

Any in channel works permitted by this permission that have the potential to suspend significant amounts of sediment should take place outside of the period 1st Nov to 30th April inclusive.

Reason: To protect migratory fish Sea Trout by maintaining dissolved oxygen levels in the water in line with National Planning Policy Framework paragraphs 180 and 186.

5. Environmental Protection

The development shall be carried out fully in accordance with the updated Construction Environmental Management Plan CEMP dated November 2024, except in relation to dust management impact on human health which is dealt with by condition number 6

Reason: To comply with Local Plan Policies ENV3 and CCC1 and to protect the amenities of local residents, and to comply with Local Plan Part Two Policy DM2 in the interests of preventing harm to protected wildlife species.

6. Dust Management Plan

Prior to the commencement of development, a dust management plan in respect of any impact on human health and wellbeing shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the Dust Management Plan so approved.

Reason: To comply with Local Plan Policies ENV3 and CCC1

7. Hours of Operation

There shall be no construction activity or deliveries on or to the site other than during the hours of 0800 to 1800 Monday to Friday, and 0800 to 1300 on Saturdays with no work on Sundays or Bank Holidays.

Reason: In the interests of the amenity of local residents.

8. Contaminated Land Watching Brief.

If unexpected contamination is found after development has begun, development must stop immediately on that part of the site affected by the unexpected contamination. An investigation and risk assessment of the affected area shall undertaken in accordance with Environment Agency's technical Land Contamination Risk Management (LCRM) guidance. Where remediation is necessary a remediation scheme must be prepared to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation. Work in the affected area can only re-commence on receipt of the written approval of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced. This verification report must be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any building in the affected area.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy CCC1 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park.

9. Highway condition

The development shall be carried out in accordance with updated Construction Traffic Management Plan (CTMP) dated 15 November 2024 and Construction Method Statement (CMS) dated 14 November 2024. Prior to any other works taking place the construction compound, parking area and turning areas, welfare facilities, and wheel washing facilities together with any facilities required under approved Dust Management Plan shall be in place and ready for use.

Reason: To ensure that the necessary facilities are in place to prevent any adverse impact on local amenities and highway safety.

10. Tree Protection

The trees and hedgerows 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 Barrell Arboricultural impact appraisal and method statement dated 21st June 2024 Ref 23131-AIA3-Temp-Acess-DC and Tree Protection Plan Ref: 23131-6

Reason: To protect the said trees and hedgerows 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.

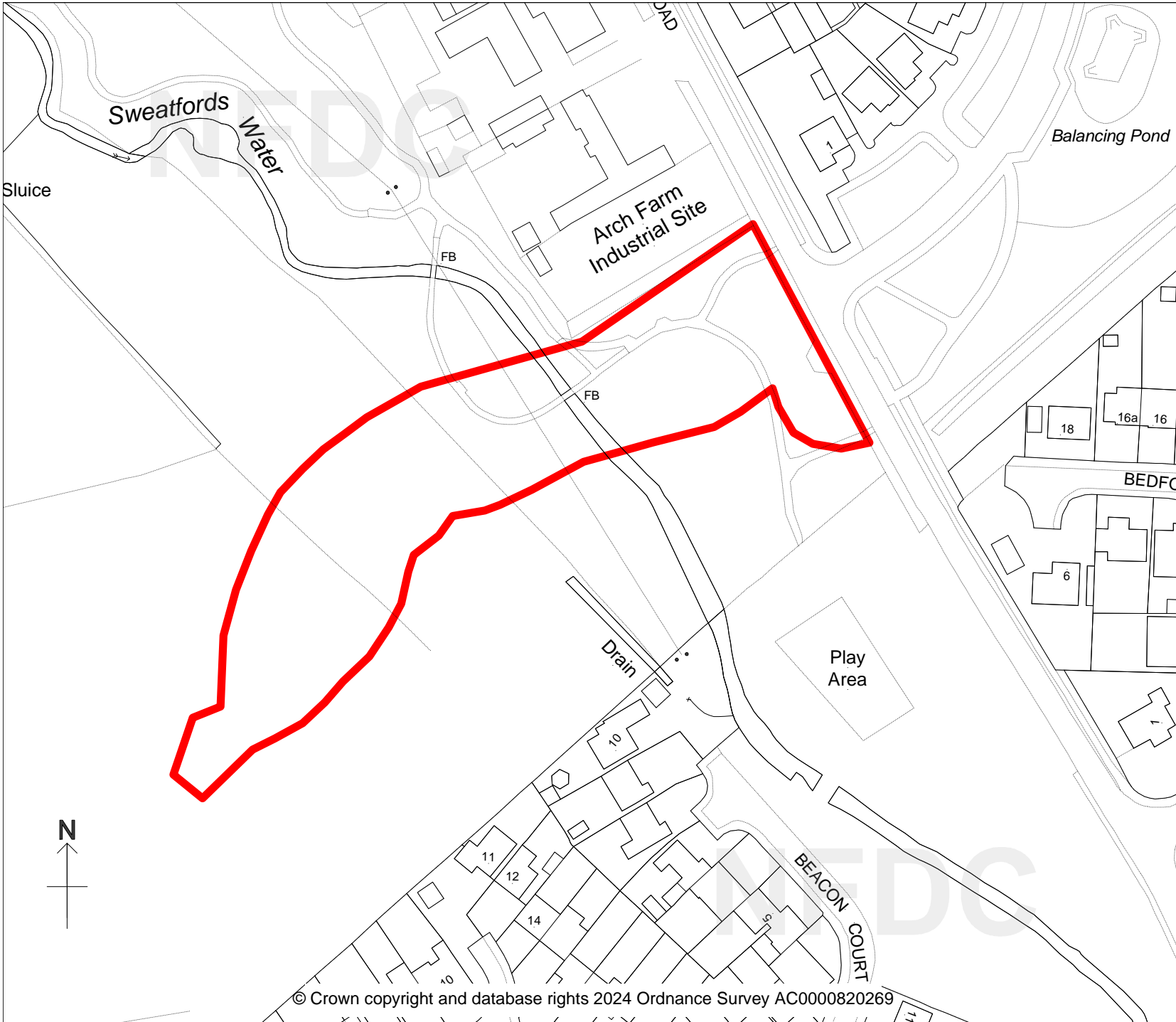
11. Notice of Commencement regarding Tree Protection

Prior to the commencement of works (including site clearance, demolition and construction works) 3 working days' notice shall be given to the Local Planning Authority to attend the pre-commencement site meeting as specified within the submitted Barrell Tree Consultancy Manual for Managing Trees on Development Sites SGN 1 Monitoring tree protection.

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

Further Information:

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PLANNING COMMITTEE

December 2024

SS17 Land to the West of
Whitsbury Road
Fordingbridge
24/10651

Scale 1:1250

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

23

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Planning Committee 11 December 2024

Application Number: 24/10746 Full Planning Permission
Site: BARCLAYS BANK, 6-8 HIGH STREET, RINGWOOD,
BH24 1BZ
Development: Change of use from financial services (Use Class E(c)i) to the
provision of education (Use Class F1); rooflights; balustrade to
terrace; fenestration alterations
Applicant: UKG Ltd
Agent: Studio Arkell
Target Date: 17/10/2024
Case Officer: John Fanning
Officer Recommendation: Grant Subject to Conditions
**Reason for Referral
to Committee:** Town Council contrary view

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Principle of development
- 2) Character and heritage impact
- 3) Amenity and access

2 SITE DESCRIPTION

The application site is a former bank in Ringwood town centre, with the property currently being vacant. It lies within the defined built-up area within Ringwood and forms part of the Ringwood Conservation Area. There are a number of listed buildings within the vicinity of the site, including a Grade II listed building immediately adjacent to the premises to the west. The site forms part of the identified High Street and is within the designated Primary Shopping Frontage.

3 PROPOSED DEVELOPMENT

The application proposes a number of physical amendments to the building, including the installation of rooflight windows to the front and rear and a barrier around the roof to the rear. The physical alterations seek to facilitate a change in use of the premises from the previous use of the site as a bank (Class E) to a use as a training centre (Class F1). An indicative occupier for the proposed use has been identified as a language school. A reception area and classroom space would be provided at ground and first floor level, with ancillary office space at second floor level.

The application was submitted in conjunction with an advertisement consent application for alterations to the signage, which has been considered separately under application reference 24/10747.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description
24/10747 Fascia sign to front elevation (Application for Advertisement Consent)		Pending
23/10453 Removal of signage, CCTV cameras and alarms; night face plate and existing ATM machine to be removed and replaced with glass; existing letterbox to be sealed internally	19/07/2023	Granted Subject to Conditions

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy ECON1: Employment land and development

Policy ECON2: Retention of employment sites and consideration of alternative uses

Policy ECON5: Retail development and other main town centre uses

Policy ECON6: Primary, secondary and local shopping frontages

Policy ENV3: Design quality and local distinctiveness

Policy STR3: The strategy for locating new development

Policy STR4: The settlement hierarchy

Policy STR6: Sustainable economic growth

Local Plan Part 2: Sites and Development Management 2014

DM1: Heritage and Conservation

Supplementary Planning Guidance And Documents

SPD - Parking Standards

SPG - Ringwood - A Conservation Area Appraisal

SPD - Ringwood Local Distinctiveness

Neighbourhood Plan

Ringwood Neighbourhood Plan

Policy R2: Maintaining a Successful and Prosperous Town Centre

Policy R4: Shops and Parades within and outside defined centres

National Planning Policy Framework

National Planning Policy Guidance

6 PARISH / TOWN COUNCIL COMMENTS

Ringwood Town Council: Recommend refusal.

The Committee considered the application for change of use to be contrary to Policy 2 clause C of the Ringwood Neighbourhood Plan (RNP), in that it 'will result in the loss of an active retail, commercial, business or service use of a ground floor frontage'. Even if it is not contrary to Policy, the proposed use is out of keeping and considered inappropriate for this prominent location on the high street, which is an essential core of the primary shopping area (as designated in the RNP) because it is not an active use of the ground floor. With regard to the proposed rooflights, Members objected to the one at the front of the building as this is out of keeping with the style of the other windows, the façade of the building and given that it is in the Conservation Area.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Conservation Officer - Objection to the installation of the rooflight on the front elevation which would be an incongruous additional within the context of the conservation area, where rooflight windows are typically positioned at a lower level or to the rear.

9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received.

For: 9

- Proposed use will bring business to the town centre
- Language school is a useful local facility
- Users will utilise nearby public transport and parking facilities
- Important for viability of high street to keep premises occupied

Against: 1 (from the Ringwood Society)

- Concern about quality of fascia signage
- Special consideration should be given the heritage designation of the site and relevant local and national policies within the defined high street and conservation area setting

10 PLANNING ASSESSMENT

Principle of development

The site falls within the defined town centre and within the Primary Shopping Frontage of Ringwood. Policy ECON6 gives specific guidance for uses appropriate within Primary Shopping Frontages, with ECON6(i) identifying that within the ground floor of Primary Shopping Frontages, a change of use which results in the loss of retail (Class A1) and financial and professional services (Class A2) uses will only be supported where it will not create a concentration of non-shopping uses and result in an unacceptable change in the retail character of the shopping frontage as a whole.

For clarity, the Use Classes have been amended since that policy was written, with Class A1 and Class A2 no longer existing and now being part of a wider Class E Use Class which covers a wider range of retail, food and drink, service and commercial uses.

Policy R2 of the Ringwood Neighbourhood Plan also seeks to retain the commercial viability of the town centre, with Policy R2(C) in particular noting that a change of use which results in the loss of an active retail, commercial, business or service use of a ground floor frontage will be supported in the case that the proposed ground floor use falls with the NPPF definition of a 'main town centre use', the proposed use would maintain an active and publicly accessible ground floor use, the use would not undermine the character and diversity of the town centre, and the proposed use and associated works would not harm the historic interest or character of the conservation area and listed buildings.

For context, the NPPF defines a 'main town centre use' as retail, leisure, entertainment and recreation, offices and arts/cultures/tourism uses.

With regard to Policy ECON6, there are a range of Class E uses within the parts of the Primary Shopping Frontage that are adjacent to and close to the application site, including restaurants, estate agents, banks, hairdressers and retail uses. There is also a betting office, which is a sui generis use. Within this context, and given the amendments to the Use Classes Order, it is not considered that the proposed development would result in an inappropriate concentration of non-Class E uses within this part of the Primary Shopping Frontage. Furthermore, the premises would retain its existing frontage onto the street scene. As such, it is considered that the proposal would be in compliance with the requirements of Policy ECON6.

With regard to Policy R2, it is noted that with regard to R2(C) this relates to the 'loss of an active retail, commercial, business or service use'. In this case, it is noted that the premises is currently vacant and has been for a number of months (though no specific evidence has been presented in relation to marketing or viability of the site). Whilst the proposal would result in the loss of a Class E premises, it would maintain the existing commercial frontage onto the street and is not considered to result in the loss of an active frontage. Furthermore, whilst Policy R2 seeks to provide support for certain specific forms of development, it does not preclude alternative forms of development such as that proposed. Therefore, it is not considered that the proposal would be contrary to the provisions of Policy R2 of the Ringwood Neighbourhood Plan.

The proposal does not fall within the NPPF definition of a 'main town centre use'. However, it is considered that the impact of the use, in terms of its interaction with the street frontage would not be dissimilar to, for example, an office use and would also act as a wider facility for the local community. Section 5.15 of the Ringwood Neighbourhood Plan identifies that the 'capacity and quality of community uses' are an important aspect of the function of the town centre, of which it is considered that the proposal could form a part.

The proposal would represent part of a wider suite of services within the town centre and would potentially attract users to utilise the other town centre facilities within the area, broadly supporting the viability of the surrounding High Street.

The proposal indicatively would support 9 full time equivalent employees, along with 3 classrooms, each serving 10-15 students (and additional associated waiting areas). Staff and students would potentially utilise the local facilities and services of the town centre while accessing the premises, acting both as a service for local residents to access within the centre and providing additional footfall within the surrounding High Street. While the loss of the existing commercial use would result in a reduction in the total Class E uses within the street scene, it is not considered that the loss would result in a harmful depletion in the range of services being offered. Indeed, the proposal would provide a unique service which would have the potential to attract users to utilise the wider High Street services.

Overall, with reference to the matters discussed above, it is considered that the development would broadly accord with the goals and objectives of Policies ECON6 and R2 with regard to maintaining a viable and active frontage within the Ringwood Town Centre. On this basis, it is considered that the principle of the proposed development is acceptable and consistent with policy.

Notwithstanding the above, this assessment is subject to the development successfully integrating into the town centre in terms of the associated impacts of the development. These matters are considered in more detail below.

Character and heritage impact

Section 66(1) of the Listed Buildings and Conservation Areas applies. It requires that special regard shall be had to the desirability of preserving a Listed building or its setting or any features of special architectural or historic interest which it possesses. Section 72 of the Act states that special attention should be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

Local Plan Part 2 Policy DM1 states that development proposals should conserve and seek to enhance the historic environment and heritage assets, with particular regard to local character, setting, management and the historic significance and context of heritage assets. This includes a balancing exercise between impact on Heritage Assets against public benefits, which is also referred to in the National Planning Policy Framework (NPPF).

Paragraph 205 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Paragraph 208 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

The proposal includes a number of internal alterations which do not, in themselves, require permission associated with the proposed change of use.

Alterations to signage have also been proposed, but these have been addressed separately under application reference 24/10747.

In terms of physical alterations, the application proposes additional rooflight windows, to both front and rear elevations. The front of the site faces onto the main commercial frontage, while the rear of the site faces onto a service yard area serving the surrounding commercial uses. The Council's Conservation Officer has been consulted on the proposal and raised concerns with the visual impact of the new rooflight window to the front elevation, noting that rooflights are not typical roof features on frontage elevations in this part of the Conservation Area.

The property currently has two dormer windows on the front elevation, partially screened by an existing parapet wall feature running across the front of the property. Given this design feature, the view of the roof is largely screened within the immediate context of the application site. There are some longer distance views of the site from Christchurch Road to the south-east, from where the roof of the building would be visible. However, the screening provided by the existing parapet wall and the layout with neighbouring buildings, means that there would only be limited visibility of the proposed rooflight from the public realm.

It should be noted that the part of the roof form where the rooflight is proposed would be substantially less visible within the surrounding Conservation Area than the roof forms of neighbouring buildings. Therefore, notwithstanding the objections raised in terms of the visual impact on the Conservation Area and the setting of the nearby listed buildings, the visual impact of the front facing rooflight window would be extremely minor.

The layout to the rear onto the service yard is less sensitive in appearance than the frontage. Nevertheless, the proposed alterations to the rear are very modest in nature and preserve the appearance of the building within the wider Conservation Area. As such, it is considered that the alterations are acceptable subject to suitable details of materials being secured as part of the proposal.

Overall, notwithstanding the specialist advice of the Council's Conservation Officer, the visual impact of the proposed rooflight window on the building's front elevation would to a large degree be screened by the existing form of the building. The specific quality and detailing of the window could also be secured by an appropriately worded condition. Therefore, notwithstanding the historic sensitivity of the site, it is considered that the proposal would preserve the character and appearance of the Ringwood Conservation Area or the setting of the nearby listed buildings.

Amenity and access

The application proposes to employ 8 full time members of staff and 3 part-time members (for a total of 9 full time equivalent employees), with proposed opening hours of 08:00-21:00 Mon-Fri, 08:00-17:00 Sat and no time on Sunday or bank holidays.

The agent has advised that the proposed occupier is looking to operate the premises as a language school, with up to 50 students at any given time.

The site does not have any on-site parking capacity. Notwithstanding this, the site is situated within the identified Ringwood Town Centre, with a number of nearby public car parks situated to the north and south of the site, along with other public transport facilities serving the town centre. With regard to section 4.8 and 15 of the Council's Parking Standards SPD, the site is highly accessible by different modes of transport. In addition, it is noted that the development must also be considered within the context of the commercial uses of the premises which does not benefit from any existing on-site parking capacity. On this basis, it is considered that the lack of on-site parking to serve the proposed use would be appropriate in this sustainable location.

The surrounding area is largely commercial in nature. In this context, it is not considered the proposed use would generate levels of noise and activity that would be harmful to the amenity of neighbouring premises.

However, it is noted that the Class F1 Use Class involves a variety of other uses which may have differing impacts (for example, art gallery, museum, library). Broadly speaking, it is considered that the site's town centre location represents an appropriate location for such uses. Notwithstanding this, the amenity and transport implications of some uses may differ from the proposed development, but provided the use operates during the proposed hours of operation, it is not considered the proposal would be harmful to the amenities of adjacent properties. Accordingly, it is considered appropriate to restrict the hours of use to those proposed to ensure the impact of any change can be appropriately considered.

11 OTHER MATTERS

N/A

12 CONCLUSION / PLANNING BALANCE

For the reasons outlined above, with regard to Policy ECON6 and R2 it is considered that the proposed use is appropriate in the context of the town centre location and

would not result in a harmful impact with regard to the provision of a mixed and balanced active commercial frontage within the surrounding high street.

Careful consideration has been given to the impacts of the development with regard to Policy DM1 and the provisions of chapter 16 of the NPPF. For the reasons outlined above, it is considered that suitable conditions can control the visual impact of the development and ensure that the special features of the host building and the contribution that the site makes to the conservation area and the setting of adjacent listed buildings is preserved.

On this basis, the application is recommended for conditional approval.

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:

(Design and Access Statement)

Drg No: 24016.HER01.100.R01 (Location plan)

Drg No: 24015.HER01.101.R01 (Existing floor plan)

Drg No: 24016.HER01.102.R01 (Existing floor and roof plan)

Drg No: 24016.HER01.103.R01 (Existing elevation)

Drg No: 24016.HER01.104.R02 (Existing elevation)

Drg No: 24016.HER01.105.R01 (Proposed floor plan)

Drg No: 24016.HER01.106.R02 (Proposed floor and roof plan)

Drg No: 24016.HER01.107.R01 (Proposed elevation)

Drg No: 24016.HER01.108.R02 (Proposed elevation)

Drg No: 24016.HER01.109.R04 (Proposed site plan)

Drg No: 24016.HER01.110.R02 (Proposed elevation)

Drg No: 24016.HER01.111.R01 (Proposed signage)

Reason: To ensure satisfactory provision of the development.

3. Before development commences, the following details shall be submitted to and approved in writing by the Local Planning Authority:

- a) Samples or exact details of the balustrade materials to be used to the rear
- b) Exact details of the installation, fitting and materials of the proposed rooflight windows

The development shall only be implemented in accordance with the approved details.

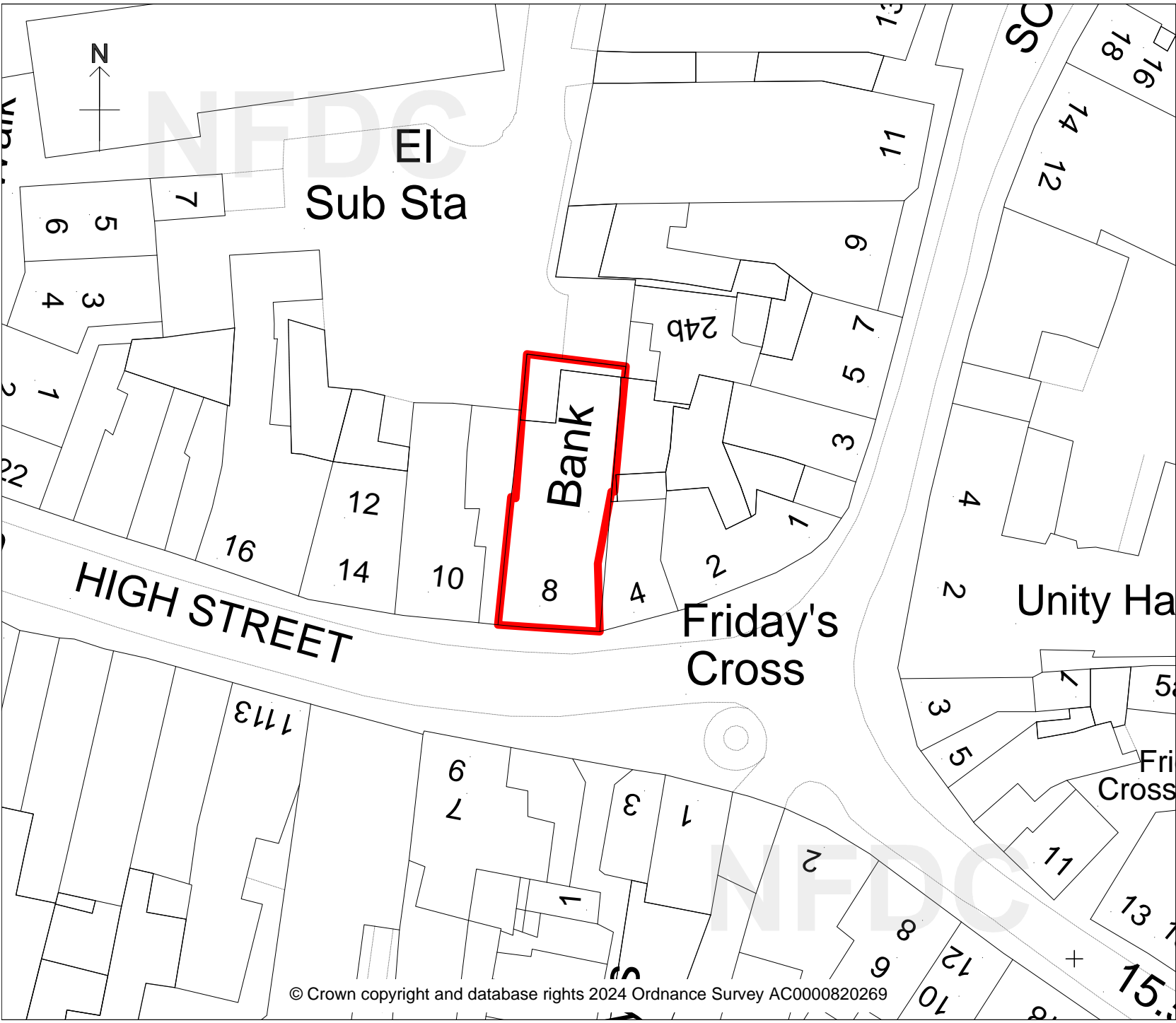
Reason: To ensure an acceptable appearance of the development in accordance with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park and Policy DM1 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).

4. No activity shall take place on the site in connection with the approved use other than between the hours of 08:00 and 21:00 Monday to Fridays and 08:00 and 17:00 Saturday and at no time on Sundays or recognised public holidays.

Reason: To control the nature of the use in the interest of the amenity of adjoining premises.

Further Information:

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New Forest
DISTRICT COUNCIL

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Mark Wyatt
Service Manager
Development Management
New Forest District Council
Appletree Court
Lyndhurst
SO43 7PA

PLANNING COMMITTEE

December 2024

Barclays Bank
6-8 High Street
Ringwood
24/10746

Scale 1:500

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Planning Committee 11 December 2024

Application Number: 24/10247 Full Planning Permission
Site: DOCHARTY, 51 HAMPTON LANE, BLACKFIELD, FAWLEY
SO45 1WN
Development: Conversion of single dwelling into two dwellings; associated
external alterations (retrospective)
Applicant: Mr Lika
Agent: Delta Tech Ltd
Target Date: 28/05/2024
Case Officer: John Fanning
Officer Recommendation: Service Manager - Grant
Reason for Referral to Committee: Parish Council contrary view

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Site history
- 2) Principle of development
- 3) Character and design
- 4) Amenity
- 5) Parking
- 6) Biodiversity net gain
- 7) Habitat mitigation

The application has been referred to committee for determination as the recommendation is contrary to the views of Fawley Parish Council.

2 SITE DESCRIPTION

The application site relates to a detached property located within the built-up area of Blackfield. The surrounding area is residential in nature with a row of similar properties set off an accessway off the main Hampton Lane.

3 PROPOSED DEVELOPMENT

The application proposes the subdivision of the existing dwelling to form two independent units, comprising a one-bedroom unit at ground floor level and a separate three-bedroom unit at both ground and first floor level.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
23/10533 Conversion of single dwelling into two dwellings (1x3bed) and (1x2bed); associated external alterations	24/07/2023	Refused	Decided

23/10048 Conversion of single dwelling into two dwellings (1x3bed) & (1x2bed)	14/04/2023	Refused	Decided
21/11658 New 1st floor extension with new roof including alterations to existing roof and new rear extension.	09/02/2022	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 ENV1: Mitigating the impacts of development on International Nature Conservation sites
 Policy ENV3: Design quality and local distinctiveness
 Policy ENV4: Landscape character and quality
 Policy HOU1: Housing type, size, tenure and choice
 Policy IMPL1: Developer Contributions
 Policy IMPL2: Development standards
 Policy STR1: Achieving Sustainable Development
 Policy STR3: The strategy for locating new development
 Policy STR4: The settlement hierarchy
 Policy STR5: Meeting our housing needs

Local Plan Part 2: Sites and Development Management 2014

DM2: Nature conservation, biodiversity and geodiversity

Supplementary Planning Guidance And Documents

SPD - Air Quality in New Development. Adopted June 2022
 SPD - Mitigation Strategy for European Sites
 SPD - Parking Standards
 SPD - Housing Design, Density and Character

National Planning Policy Framework

National Planning Policy Guidance

Plan Policy Designations

Built-up Area

6 PARISH / TOWN COUNCIL COMMENTS

Fawley Parish Council:

We recommend refusal as the Parish Council considers this to be overdevelopment. We also raise concerns relating to parking in the area and moisture in the bathroom and where this extracts.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Ecologist

No objection subject to suitable mitigation being secured in relation to impact of additional residential accommodation on sensitive habitats.

9 REPRESENTATIONS RECEIVED

2 letters of objection received from neighbouring properties / local residents.

- Insufficient parking/lack of detail
- Overlooking of neighbouring properties
- Out of character with surrounding pattern of development
- Has not materially changed from previous refusals
- Additional cost to maintain private road

10 PLANNING ASSESSMENT

Site history

Planning permission was granted for an extension to the existing property on the site in February 2022 (under application reference 21/11658), consisting of significant alterations to the roof form in order to facilitate the formation of an additional storey and rear extension of the property. There are some minor discrepancies between the building as constructed and the previously approved plans (for example, the size and location of the approved rooflight windows). However, it would appear that this development is now substantially complete.

Following this application, subsequent applications were submitted to subdivide the property into two separate units, with minimal physical alterations to the building. An initial application was submitted under planning application reference 23/10048 and was refused for two main reasons:

1. A failure to provide a suitable quality of living environment for the ground floor unit, primarily associated with the ground floor kitchen/living room not benefiting from any window or outlook.
2. A failure to secure appropriate mitigation associated with the impacts of additional residential accommodation on sensitive designated habitats.

With regard to the 1st reason for refusal, the key area of concern was the ground floor unit had two bedrooms with outlook to the rear and the only communal living space was a kitchen/living area with sole outlook to the side of the property which was considered to offer a poor quality of living environment.

A second application was submitted under application reference 23/10533, with an amended design that included a side facing window and a rooflight serving the centrally positioned living area. The application was refused on the same basis as the previous application. While it was recognised that the amended proposal was an improvement on the previous layout, it was considered that the large size of the room and relationship with the boundary/neighbouring property would still result in a property with a poor degree of outlook which would provide an unacceptable living environment for the proposed occupiers.

It is noted that during the course of the current application, the proposed development has been partially implemented, with the ground floor 1-bed unit having been occupied. The other larger unit appears to remain vacant currently. As such, the application is partly retrospective.

Principle of development

Local and national planning policies have outlined an identified need for new residential dwellings within the district.

Policy STR1(i) identifies that housing needs will seek to be addressed in sustainable and accessible locations, providing for a mix of differing housing scales and types. Policy STR3 identifies that development should typically be focused within the defined built-up area. Policy STR4 explores this relationship in more detail, identifying a settlement hierarchy, of which Blackfield is identified as a 'main village' within the district, being appropriate for small to medium scale developments. Policy HOU1 identifies the need to provide a mix and balance of differing housing options within the district, to provide for a variety of differing accommodation needs within the local population.

With regard to the above, there is an identified need for new dwellings within the district. The location of the site within the defined built-up area is a sustainable and accessible part of the district, and the subdivision of the premises to form two units provides an appropriate mix of accommodation within an area that otherwise typically features detached and semi-detached properties of a similar form. The principle of the proposed subdivision and additional unit of accommodation is therefore considered acceptable.

Notwithstanding this, any development must be sympathetic to the character of the wider area and the amenities of neighbouring properties.

5-year housing supply

The NPPF and local policies stress the importance of ensuring high quality, sustainable development. Paragraph 76 of the NPPF outlines that a local authority will be considered to be complying with their strategic delivery of new dwellings, provided they have an adopted local plan that is less than 5 years old which demonstrated a 5 year supply for specific, deliverable sites.

The Council's Local Plan 2016-2036 Part 1: Planning Strategy was adopted in July 2020 and at the time of adoption was able to demonstrate a 5 year housing land supply. Therefore, even though the Council cannot currently demonstrate a 5-year housing land supply, the so called 'tilted balance' is not engaged.

Character and design

Policy ENV3 seeks to ensure that all development within the district is built to a high quality of design, both in terms of the amenity of residents but also in terms of the visual quality of development and integration into the existing built form, with a focus on ensuring appropriate, functional and attractive development.

The surrounding street scene features a mix of residential dwelling types. In the immediate vicinity of the application site, it typically features single-storey detached dwellings that are set off the main Hampton Lane frontage by a private gravel access road.

The current application does not seek significant physical alterations to the host dwelling. The proposed external alterations would include an additional side window and rooflight and an amended window / new door opening to the rear elevation.

It is considered that the plot is large enough that the physical subdivision of the garden would not be inappropriate to its context or harmful to the character and appearance of the surrounding area. The alterations to the windows in the roof form and additional windows are not considered to result in a harmful change in the appearance of the property. As such, no objection is raised to the proposal in terms of the dwelling's physical appearance or the character of the plot within the surrounding area.

Overall, it is considered the proposal would have an acceptable impact on the character and appearance of the area in accordance with Policy ENV3.

Amenity

Policy ENV3(ii) gives special consideration to the amenity impacts of development, with regard to the potential for development to have a harmful impact with regard to the creation of harmful impacts for neighbouring occupiers. In the case of the proposed development the physical form of the structure has already been consented which is considered a key material consideration. However some of the potential impacts of the development different from the previously consented scheme and must be considered in their own right.

Condition 3 of Planning Permission 21/11658 restricted the rearmost set of rooflight windows (on either side of the dwelling) to be non-opening 1.7m from the floor of the room they served and obscurely glazed, but did not impose any conditions on the other rooflight windows. In the original plans, both of the rearmost side facing rooflights served a single rear bedroom which also had an outlook from a clear glazed window to the rear. By contrast, in the current proposal, the rearmost rooflight window on the southern elevation is intended to serve as the sole outlook for a proposed bedroom.

It is considered that a bedroom must have an appropriate external outlook, which would not be the case if the room were to be only served by an obscure glazed rooflight. As such, it needs to be considered whether the previous condition requiring the rearmost rooflights on the building's southern and northern elevation to be obscurely glazed is still necessary. The rooflights have not actually been installed in accordance with the conditions of the previous planning permission - i.e. they have been installed with clear glass and can open. The rooflights would primarily provide outlook over the roof form of neighbouring extensions at 49 and 53 Hampton Lane, with more oblique angles to gardens to the rear. On balance, having reviewed the impact of these rooflights on site, it is considered that the partial screening from the existing building form and the oblique nature of any views to the rear, sufficiently mitigates any harmful overlooking from these rooflight openings, such that they do not adversely affect the privacy of neighbouring dwellings. On this basis, having had the opportunity to review the specific impact of the development being proposed, it is not considered necessary to require these rooflights to be obscure glazed or fixed shut as part of the current proposal. Therefore, the bedrooms served by the rooflights would also have an acceptable outlook.

Both units are considered to be provided with a reasonable quality of external amenity space to the rear. The garden of the ground floor unit would be overlooked by a rear facing first-floor bedroom window of the other unit. There would be some partial screening of this impact given the additional projection of development at single-storey level, meaning that the immediate rear garden space would retain some privacy. On balance, it is considered that this relationship would be acceptable given the quantity of amenity space and retained private areas.

Given the planning history, the key consideration is whether the proposed alterations from the previous proposals have addressed the concerns in relation to the internal living environment of the ground floor unit. In this respect, the proposal has been amended from the previous scheme - so that whilst the side facing window and rooflight windows serving the kitchen / living area would be retained, the kitchen / living room area would also be enlarged internally so as to now have a rear outlook. This has the effect of changing this unit from a 2-bed unit to a 1-bed unit.

There is a side facing window at ground floor level which would provide some light to the main living area. And with the additional rear outlook now proposed, it is considered the main living room of this unit would have an acceptable outlook. It should be noted that the plans indicate that the side facing window will be obscurely glazed. However this is not considered necessary; and as currently constructed, this window is not obscured.

On balance, with the changes that have been made, it is considered that the occupiers of both proposed dwellings would have a reasonable quality of light and outlook suitable to meet their needs.

It is noted that a ground floor level side facing window has been installed on the southern elevation of the site which is not detailed on the submitted plans. This window is partially screened by an existing boundary. While this does not form part of the current application, for clarity and having reviewed on site, it is not considered there is a harmful impact associated with a window in this location. As such it is considered that the proposal complies with the provisions of Policy ENV3.

Parking

Policy ENV3(iv) (as supported by the Councils adopted Parking Standards for Residential and Non-Residential Development Supplementary Planning Document) outlines guidance on the expected level of parking provision to support the needs of a proposed development and guidance on the application of those standards.

The plans for the original 21/11658 planning permission identified the property as a 4-bed unit, which has a recommended parking provision of 3 on-plot spaces. The current proposal seeks permission for 1x3-bed unit and 1x1-bed unit, which would have a recommended parking provision of 4.5 spaces. The submitted site plan indicates 2 parking spaces (1 per unit), resulting in a shortfall of 2.5 spaces.

Some concerns have been raised in relation to the shortfall below the identified parking standards. The site fronts onto a private accessway, with uptake of on-road parking capacity within the surrounding area being generally low. On balance, while there is a shortfall of on-site parking provision, it is not considered that any additional on-road parking in this location would result in such harm to the amenity of neighbouring residents or highway safety as to justify refusing the application.

It is considered appropriate to secure details of suitable cycle storage facilities within the site to meet sustainable travel needs in compliance with policy. This can be conditioned. For the reasons outlined above it is considered that the proposal complies with the requirements of ENV3(iv) and the guidance contained with the Councils Parking Standards SPD.

Biodiversity net gain

As of 2nd April 2024, developers must deliver achievement of Biodiversity Net Gain (BNG) on 'smaller' sites such as this as a requirement of planning permission. However, this application was submitted before this date, and therefore the national BNG requirement is not applicable to this proposal.

Habitat Mitigation

a) Recreational impacts

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 those sites' conservation objectives. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the recreational impacts on the European sites, but that such adverse impacts would be avoided if the applicant were to enter into a unilateral undertaking or Section 106 legal agreement to secure a habitat mitigation contribution in accordance with the Council's Mitigation Strategy. This is proposed to be secured as part of unilateral undertaking or Section 106 legal agreement prior to any grant of planning permission.

b) Air Quality

To ensure that impacts on international nature conservation sites are adequately mitigated, a financial contribution is required towards monitoring and, if necessary (based on future monitoring outcomes), managing or mitigating air quality effects within the New Forest SPA, SAC and Ramsar site. There is potential for traffic-related nitrogen air pollution (including NO_x, nitrogen deposition and ammonia) to affect the internationally important Annex 1 habitats for which the New Forest SAC was designated, and by extension those of the other International designations. Given the uncertainties in present data, a contribution is required to undertake ongoing monitoring of the effects of traffic emissions on sensitive locations. A monitoring strategy will be implemented to provide the earliest possible indication that the forms of nitrogen pollution discussed (including ammonia concentrations) are beginning to affect vegetation, so that, if necessary, measures can be taken to mitigate the impact and prevent an adverse effect on the integrity of the SAC habitats from occurring. This is proposed to be secured as part of unilateral undertaking or Section 106 legal agreement prior to any grant of planning permission.

c) Nitrate neutrality and impact on Solent SAC and SPAs

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 which includes an element of new residential overnight accommodation would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of those sites' conservation objectives, having regard to nitrogen levels in the Solent catchment. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the impacts of additional nitrate loading on the Solent catchment unless nitrate neutrality can be achieved, or adequate and effective mitigation is in place prior to any new dwelling being occupied. In accordance with the Council Position Statement agreed on 4th September 2019, these adverse impacts would be avoided if the planning permission were to be conditional upon the approval of proposals for the mitigation of that impact, such measures to be implemented prior to occupation of the new residential accommodation. These measures to include undertaking a water efficiency calculation, together with a mitigation package to address the additional nutrient load imposed on protected European Sites by the development. A Grampian style condition to address this is proposed. It is noted that the partial occupation of the consent presents some implications, whereby this mitigation must be secured prior to the occupation of development.

In this case, where the lawful use of the site is as a single dwelling and the application seeks the subdivision to provide two dwellings, it is considered reasonable to word the condition to require the mitigation to be secured prior to any occupation of the site as two dwellings.

Developer Contributions

As part of the development, the following will need to be secured via a Section 106 agreement or unilateral undertaking prior to any grant of permission

Air Quality Monitoring contribution: £109

Recreational Habitat Mitigation:

- Infrastructure Habitat Mitigation (Provision): £3,359
- Non-Infrastructure Habitat Mitigation (Access Management and Monitoring): £489
- Bird Aware Solent: £465

11 OTHER MATTERS

It is noted that the previous application 21/11658 was granted an exemption under the CIL regulations. Given the current implementation of the premises as multiple dwellings this no longer applies, rendering the floor space of the development CIL liable.

12 CONCLUSION / PLANNING BALANCE

Policies STR1, STR3 and STR4 in addition to HOU1 identify the importance of securing new dwellings and encourage the siting of such development within suitable parts of the district. In this case, the property falls within the defined built-up area, where the subdivision of the dwelling to provide an additional unit is acceptable in principle subject to the proposal integrating acceptably with the surrounding area and subject to wider amenity impacts.

Similar previous applications on the site were refused on the basis of two key issues - a poor quality living environment associated with a lack of suitable outlook for the proposed ground floor unit and a failure to mitigate the wider habitat impacts of additional residential accommodation within the New Forest and Solent area.

The current application has addressed the first of these issues by the internal rearrangement of the living space and reduction from a 2-bed unit to a 1-bed unit, meaning the unit has an acceptable outlook to the rear. On this basis, it is considered that the proposal complies with the requirements outlined with Policy ENV3.

The second reason for refusal is proposed to be addressed by the completion of a legal agreement to secure suitable mitigation of the relevant impacts. On this basis, the proposal would comply with the requirements of Policy ENV1.

As such, it is recommended that authority is delegated to the Development Management Service Manager to grant permission subject to the securing of an appropriate legal agreement to mitigate the impacts of the development on sensitive designated habitats within the New Forest and Solent.

13 RECOMMENDATION

Delegated Authority be given to the Service Manager Development Management to **GRANT PERMISSION** subject to:

- i) the completion of a planning obligation entered into by way of a Section 106 Agreement or unilateral undertaking to secure those matters set out in the 'Developer Contributions' section of this report.
- ii) the imposition of the conditions set out below.

Proposed Conditions:

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

Drg No: 076/P/21.09 (Location plan)
Drg No: HMP51/23/01 (Existing site plan)
Drg No: HMP51/23/02 (Existing first floor plan)
Drg No: HMP51/23/03 (Existing elevation)
Drg No: HMP51/23/04 Rev B (Proposed site plan)
Drg No: HMP51/23/05 Rev A (Proposed first floor plan)
Drg No: HMP51/23/06 (Proposed elevations)

Reason: To ensure satisfactory provision of the development.

2. The site to which this application relates shall not be occupied as two independent units of accommodation until:

a) A water efficiency calculation in accordance with the Government's National Calculation Methodology for assessing water efficiency in new dwellings has been undertaken which demonstrates that no more than 110 litres of water per person per day shall be consumed within each unit of the development, and this calculation has been submitted to, and approved in writing by, the Local Planning Authority; all measures necessary to meet the agreed waste water efficiency calculation for each unit must be installed in both units prior to the second occupation and retained thereafter;

b) A mitigation package addressing the additional nutrient input arising from the development has been submitted to, and approved in writing by, the Local Planning Authority. Such mitigation package shall address all of the additional nutrient load imposed on protected European Sites by the development when fully occupied and shall allow the Local Planning Authority to ascertain on the basis of the best available scientific evidence that such additional nutrient loading will not have an adverse effect on the integrity of the protected European Sites, having regard to the conservation objectives for those sites; and

The mitigation package shall include a timetable for implementation and measures for retention and maintenance of that mitigation package, which shall thereafter be implemented.

Reason: There is existing evidence of high levels of nitrogen and phosphorus in the water environment with evidence of eutrophication at some European designated nature conservation sites in the Solent catchment. The PUSH Integrated Water Management Strategy has identified that there is uncertainty as to whether new housing development

can be accommodated without having a detrimental impact on the designated sites within the Solent. Further detail regarding this can be found in the appropriate assessment that was carried out regarding this planning application. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation for is provided against any impacts which might arise upon the designated sites. In coming to this decision, the Council have had regard to Regulation 63 of the Conservation of Habitats and Species Regulations 2017.

3. Within 1 month of the date of planning permission being granted, details of suitable secure cycle storage shall be submitted in writing for approval by the Local Planning Authority. Within 3 months of the date of this planning permission (or such other timeframe as is agreed in writing with the Local Planning Authority), the development shall be implemented in accordance with the details to be agreed as part of this condition and retained as such thereafter.

Reason: To secure appropriate cycle parking provision for the proposed occupiers.

Further Information:

John Fanning
Telephone: 023 8028 5962



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New Forest

DISTRICT COUNCIL

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PLANNING COMMITTEE

December 2024

Docharty
51 Hampton Lane
Blackfield
24/10247

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Planning Committee 11 December 2024

Application Number: 24/10788 Full Planning Permission
Site: KENNELMANS COTTAGE, WINDMILL FARM, HARPWAY
LANE, SOPLEY BH23 7BU
Development: Use of existing holiday let as dwelling
Applicant: Mr & Mrs Emmel
Agent: Jerry Davies Planning Consultancy
Target Date: 08/11/2024
Case Officer: Vivienne Baxter
Officer Recommendation: Grant Subject to Conditions
Reason for Referral to Committee: Contrary to Policy DM20

24/10788

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Principle of the development
- 2) Green Belt
- 2) Impact on the character and appearance of the Conservation Area
- 3) Impact on the residential amenities of the area
- 4) Highway matters including parking

2 SITE DESCRIPTION

The site forms part of the wider Kennelmans Farm close to the village of Sopley and within the Sopley Conservation Area. It is accessed from the southern part of Harpway Lane which is outside the NFDC area and surrounded by farmland and other residential properties to the north.

The site contains a single storey former kennels which was granted planning permission in 2013 for use as a holiday let and the holiday let was subsequently extended into the dog runs in 2016. The building also contains an office from where the surrounding Kennelmans Farm small holding is run.

Adjoining the building to the rear is a small enclosed patio garden area with a small lawn to the front, bound by post and rail fencing to the open farmland. The access leads to a gravelled parking area.

3 PROPOSED DEVELOPMENT

The proposal entails the use of the property as a residential dwelling rather than maintaining it as a holiday let. There are no physical alterations proposed to the property or access provisions.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
16/10018 Single-storey rear extension incorporating existing run & railings; additional parking for 2 cars	21/03/2016	Granted Subject to Conditions	Decided
12/99560 Use of kennel building as holiday let; single-storey extension to form farm office	13/02/2013	Granted Subject to Conditions	Decided
12/98656 Extension & alterations to create bungalow; bin/cycle store	17/07/2012	Withdrawn by Applicant	Withdrawn

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy ENV2: The South West Hampshire Green Belt
Policy ENV3: Design quality and local distinctiveness

Local Plan Part 2: Sites and Development Management 2014

DM1: Heritage and Conservation
DM2: Nature conservation, biodiversity and geodiversity
DM20: Residential development in the countryside

Supplementary Planning Guidance And Documents

SPD - Mitigation Strategy for European Sites
SPD - Parking Standards

Neighbourhood Plan

N/A

National Planning Policy Framework

NPPF Ch. 5 - Delivering a sufficient supply of homes
NPPF Ch.11 - Making effective use of land
NPPF Ch.13 - Protecting Green Belt land
NPPF Ch.16 - Conserving and enhancing the historic environment

National Planning Policy Guidance

Plan Policy Designations

Green Belt
Countryside

6 PARISH / TOWN COUNCIL COMMENTS

Sopley Parish Council

Sopley Parish Council recommends:

PAR1: We recommend PERMISSION, for the reasons listed, but would accept the decision reached by the District Council's Officers under their delegated powers.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

HCC Rights of Way

No comments

Ecologist

No objections

Conservation Officer

Comment only

9 REPRESENTATIONS RECEIVED

None

10 PLANNING ASSESSMENT

The property was first granted planning permission for use as a holiday let in 2013 with conditions restricting occupancy to no more than 4 weeks at a time and that it should remain for holiday purposes only as a new dwelling would be contrary to policy. Permission has now been sought to allow permanent occupation of the property although this would also not preclude continued use as a holiday let.

Principle of Development

The site lies within the countryside where new residential development is not acceptable apart from where the proposals meet a number of limited exceptions specified under Policy DM20 of the Local Plan Part 2. Policy DM20 allows new residential development under the following instances only:

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

However, whilst the proposal does not fall within any of these criteria and is therefore contrary to this policy, holiday lets fall under the same use class (C3) as the proposed dwelling. Although the property is restricted in terms of how long individual occupants can stay, its use as a holiday let is not seasonal and so it could be occupied all year round, meaning there is little material difference in the planning character of the property. The current proposal would simply be allowing occupants to spend more than 4 weeks at any one time in the property. As such in the absence of any demonstrable harm a departure from the development plan is considered acceptable.

South West Hampshire Green Belt

Policy ENV2 of the Local Plan Part 1 states that development within the Green Belt will be considered in accordance with national policy. Paragraph 155 of the NPPF allows for the reuse of buildings within the Green Belt providing they preserve its openness and do not conflict with the purposes of including land within it. Given that the property already has permission to be used year round as a holiday let and there are no physical alterations proposed to the site, it is not considered that the proposal would have any further impact on the openness of the Green Belt than the existing situation.

With regard to the purposes of including land within the Green Belt, one of these is to preserve the setting and special character of historic towns. Whilst this part of the District is not a historic town, the site does lie within a Conservation Area and contains a non-designated heritage asset and the proposal would ensure its preservation.

The proposal is therefore compliant with Policy ENV2 of the Local Plan Part 1 and is considered to be acceptable in the Green Belt

Impact on the character and appearance of the Conservation Area

At the time of the building's conversion to a holiday let, it was considered to be a non-designated heritage asset within the Sopley Park Estate. The proposal would not alter or adversely affect the historic interest of the kennel runs which remain in tact. The proposal would therefore enable the preservation of the property and its historic interest whilst preserving the character and appearance of the Conservation Area and would therefore comply with Policy DM1 of the Local Plan Part 2.

Residential amenity

Whilst unrestricted use as a dwelling could intensify activity to the property, it benefits from an adequate level of amenity space and parking and is fully separated from the adjoining farmland by fencing. It is not considered that the adjoining use would be harmful to the future amenity levels of the dwelling.

The nearest residential properties are to the north of the site behind a tall garden wall and as such, they would not be affected by the proposal. The property offers a small level of amenity space to both front and rear which is considered to be adequate for a dwelling of this size.

Highway safety, access and parking

There are no proposed changes to the access provisions for the property and the site contains adequate space for the parking and turning of vehicles.

Habitat Mitigation and off-site recreational impact

Habitat Mitigation

As the property is an existing holiday let and could be occupied all year round, it is not considered that there would be a net increase in residential use which would generate a requirement for Habitat Mitigation.

Phosphate neutrality and impact on River Avon SAC

As with the paragraph above, as the property could be occupied all year round, it is not considered that this proposal would result in any harmful increase in phosphate loading to the River Avon and mitigation is therefore not required.

11 OTHER MATTERS

In view of the lack of physical alterations, there are no ecological concerns with the proposed development.

12 CONCLUSION / PLANNING BALANCE

The proposal would not have any adverse impact on the character or appearance of the Conservation Area or residential amenity whilst enabling the preservation of a non-designated heritage asset. Whilst strictly contrary to Policy DM20, given the existing use of the building as a holiday let (which also falls within the C3 use class) and the fact that the development is acceptable in Green Belt terms, permission is therefore recommended.

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.

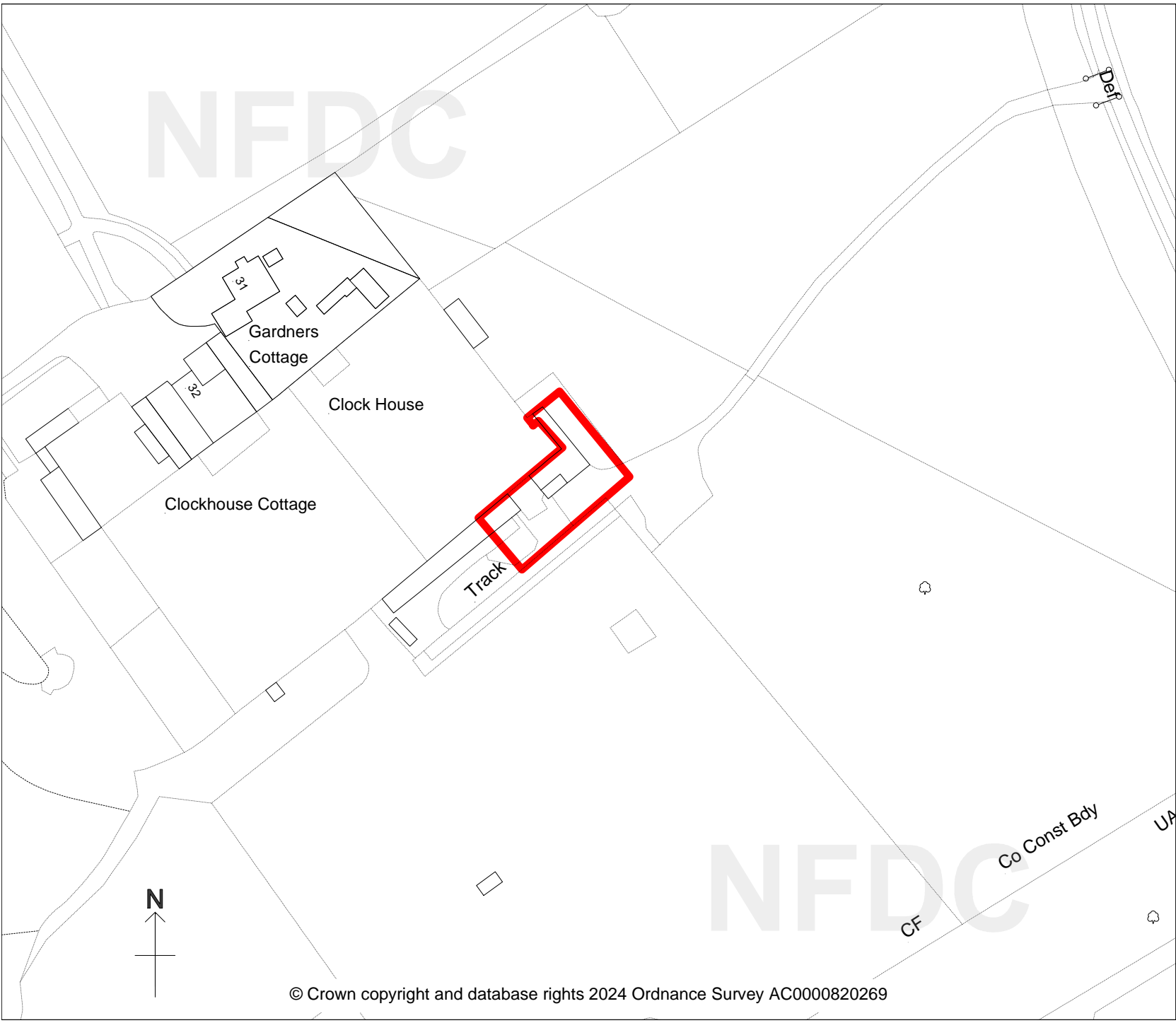
2. The development permitted shall be carried out in accordance with the following approved plans:

Site location plan
Block plan
JDPC/01 - existing floor plan
JDPC/02 - existing elevations

Reason: To ensure satisfactory provision of the development.

Further Information:

Vivienne Baxter
Telephone: 023 8028 5442



New Forest DISTRICT COUNCIL

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Mark Wyatt
Service Manager
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New Forest District Council
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PLANNING COMMITTEE

December 2024

Kennelmans Cottage
Windmill Farm, Harpway Lane
Sopley
24/10788

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scale.

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Planning Committee 11 December 2024

Application Number: 24/10510 Full Planning Permission
Site: 50 BECTON LANE, BARTON-ON-SEA, NEW MILTON
BH25 7AG
Development: Proposed access off Becton Lane; creation of driveway and
fencing
Applicant: Durlston Court School
Agent: R Elliott Associates Ltd
Target Date: 05/08/2024
Case Officer: Jessica Cooke
Officer Recommendation: Grant Subject to Conditions
Reason for Referral to Committee: Contrary Town Council view

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Principle of development
- 2) Impact on the character and appearance of the area.
- 3) Landscape impact and trees
- 3) Highway safety

This application is to be heard at Planning Committee due to the recommendation being contrary to the views of the Parish Council.

2 SITE DESCRIPTION

The application site comprises a detached chalet bungalow and its rear and side amenity space. The dwelling is of a white rendered materiality with tiled roof and two small front facing dormer windows. There are level changes on the site, whilst the majority of the site is relatively flat, there is a ditch adjacent to the eastern boundary which lies between the site and the road and the site slopes downwards towards the east. The site comprises two boundary treatments, with a close boarded fence running along the boundary of the site parallel to Becton Lane, and black metal railings sited to the east of the fence.

The site lies within the defined settlement boundary of New Milton and Barton-on-Sea and appears to be a residential property associated with the Durlston Court School.

The site contains a number of the trees including Oak and Pine trees which are subject to Tree Preservation Orders TPO/73/00 (G1) and TPO/0001/24 (T1).

3 PROPOSED DEVELOPMENT

The proposal seeks to construct a new access to the residential property from Becton Lane.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
23/11274 Proposed access off Becton Lane, creation of driveway and fencing	16/02/2024	Refused	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

Policy CCC2: Safe and sustainable travel

Supplementary Planning Documents

SPD - New Milton Local Distinctiveness

Neighbourhood Plan

New Milton Neighbourhood Plan

National Planning Policy Framework

NPPF 2023

Plan Policy Designations

Built-up Area

6 PARISH / TOWN COUNCIL COMMENTS

New Milton Town Council

OBJECT (NON-Delegated)

Members are still concerned about the impact to the protected trees, the erosion of rural character by installation of close board fencing and principle of additional highway access.

7 COUNCILLOR COMMENTS

No comments received.

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

HCC Highways

No objection

NFDC Tree Team

No objection subject to condition(s)

9 REPRESENTATIONS RECEIVED

No representations received.

10 PLANNING ASSESSMENT

Principle of Development

The proposal is located within the defined built-up area where the principle of

development is acceptable subject to relevant material considerations contained within the Development Plan.

A previous application (ref. 23/11274) was submitted on this site for a similar proposal which was refused on the grounds of impacts upon trees. The reason for refusal was as follows:

"By reason of its position within the Root Protection Areas of mature Oak and Pine trees TPO/73/00 (G1) and TPO/0001/24 (T1) which are subject to Tree Preservation Orders, the proposed new access would be likely to detrimentally impact upon the health and long term survival of these important trees. The premature loss of these trees would adversely impact upon the streetscene and character of the area, as well as resulting in a loss of visual amenity. As such, the proposed development would be contrary to Policies ENV3 and ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park, Chapter 12 of the NPPF and the New Milton Local Distinctiveness Supplementary Planning Document."

The proposal has been resubmitted along with additional information including an Arboricultural Impact Appraisal and Method Statement to address the concerns raised in respect of tree matters.

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

Local Plan Policy ENV3 (Design quality and local distinctiveness) is relevant to this application and requires that all development should achieve high quality design that contributes positively to local distinctiveness, quality of life and enhances the character and identity of the locality. In particular, development should be:

- Functional: well connected to surrounding uses, and logically laid out so that different elements work well together in a manner that is safe to access, easy to navigate, convenient to use and that makes effective use of both developed land and open spaces;
- Appropriate: sympathetic to its environment and context, respecting and enhancing local distinctiveness, character and identity; and
- Attractive: visually appealing and enjoyable to be in.

The proposal seeks to create a new access through the existing boundary treatment which currently comprises black iron railings, with a close boarded fence set behind it. The new access would comprise a large concrete slab set over the relatively significant level change on the site. A plan has been provided to show a section through the proposed driveway showing a 1 in 8 gradient to the pavement. The remainder of the driveway would be level and comprise a geocell and gravel hardstanding. The proposal would create a similar access arrangement and hardstanding to the accesses that already exist in Becton Lane which serve other properties. Therefore, the provision of an access in itself is not considered to be out of keeping within the streetscene.

The existing boundary treatment comprises a close boarded fence along the eastern boundary of the site. As submitted, the proposal comprised a 1.5m high fence to the front boundary of the dwelling. Concerns were raised by the Town Council in respect of the proposed close boarded fence. Amended plans were submitted to remove the 1.5m front boundary fence from the proposal. The Town Council were reconsulted and maintained their objection to the close boarded fence. However, the close boarded fence that remains within the proposal is existing and has been in place since at least June 2009. The existing fence raises no concerns in respect of its impacts upon the character and appearance of the area.

The proposed new access and driveway is of an acceptable appearance for this location and the proposal is considered to comply with Policy ENV3 of the Local Plan Part One, the New Milton Neighbourhood Plan and the New Milton Local Distinctiveness SPD.

Landscape impact and trees

The proposed new access and driveway would be situated within the Root Protection Area (RPA) of Oak and Pine trees which are subject to Tree Preservation Orders TPO/73/00 (G1) and TPO/0001/24 (T1). These trees are a prominent feature of the streetscene and provide a positive contribution to the amenity of the area. The trees on the eastern boundary of the site (including the Tree Preservation Orders) are highlighted in the New Milton Local Distinctiveness SPD (Character Area 7 Becton Bunny Valley) as important trees/tree groups, and the SPD seeks to retain and manage the trees for their longevity.

The Council's Tree Officer was consulted on the proposal and raised no objection subject to planning conditions relating to tree protection measures. The Tree Officer was satisfied with the submitted information and agreed with the details set out in the Arboricultural Impact Appraisal (AIA). One small Oak tree is proposed to be removed to facilitate the access, though the Tree Officer advised that this is not a prominent tree and it is not protected, noting that the main protected trees are proposed to be retained and will remain a feature within the streetscene. It is concluded that there should be no significant long term adverse impacts on the trees provided the protection measures set out in the AIA, Method Statement and Tree Protection Plan are followed.

It is therefore considered that the proposal can be achieved without an adverse impact upon the Root Protection Areas of protected trees that are subject to Tree Preservation Orders TPO/73/00 (G1) and TPO/0001/24 (T1). The Tree Officer is satisfied that the proposal can be delivered without resulting in harmful impact upon the long term health, vitality and amenity of these trees. As such, the proposal is considered to comply with Policy ENV3 and Policy ENV4 of the Local Plan Part One, the New Milton Local Distinctiveness SPD and the New Milton Neighbourhood Plan.

Highway safety, access and parking

The proposal would create a new access from Becton Lane, an unclassified road, to serve the residential property. The Highway Authority were consulted on the proposal and raised no objection to the creation of the access and, as such, the proposal can be satisfactorily provided without resulting in adverse impacts upon highway safety and the proposal is considered to comply with Policy CCC2 of the Local Plan Part One.

11 CONCLUSION / PLANNING BALANCE

The proposed development is considered to be of an acceptable appearance for its location and to be appropriate to the streetscene.

The Tree Officer is satisfied that the proposal can be achieved without adverse impacts upon the trees and therefore the public amenity of the area would be maintained. In addition, the Highway Authority are satisfied that the proposal would not result in adverse impacts to highway safety.

As such the proposal complies Policy ENV3, Policy ENV4 and Policy CCC2 of the Local Plan Part One.

The application is accordingly 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:

- 10907 PL 01 Location Plan
- 10907 PL 02 REV B Block Plan
- 10907 PL 03 Existing Site Plan
- 10907 PL 04 REV C Proposed Site Plan
- 10907 PL 05 REV A Swept Paths
- 10907 PL 06 Sightlines Plans & Photos
- 10907 PL 07 REV B Tree Plan
- 10907 PL 08 Section Proposed Driveway
- Tree Constraints Plan by Barrell Consultancy
- Tree Survey Plan by Barrell Consultancy
- Tree Protection Plan by Barrell Consultancy
- HCC11/M/040 REV A Typical Vehicle Crossing in existing Footway
- Arboricultural impact appraisal and method statement by Barrell Tree Consultancy
- Terram Geocall Specification
- Manual for managing trees on development sites by Barrell Tree Consultancy

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 undertaken in strict accordance with the measures set out in the submitted Arboricultural impact appraisal/assessment (AIA) and method statement (Barrell Tree Consultancy dated 28th May 2024 14064-AIA-DC), Tree Protection Plan (REF: 14064-5), SGN manual V3 and Terram Geocell Specification, design and installation guide.

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

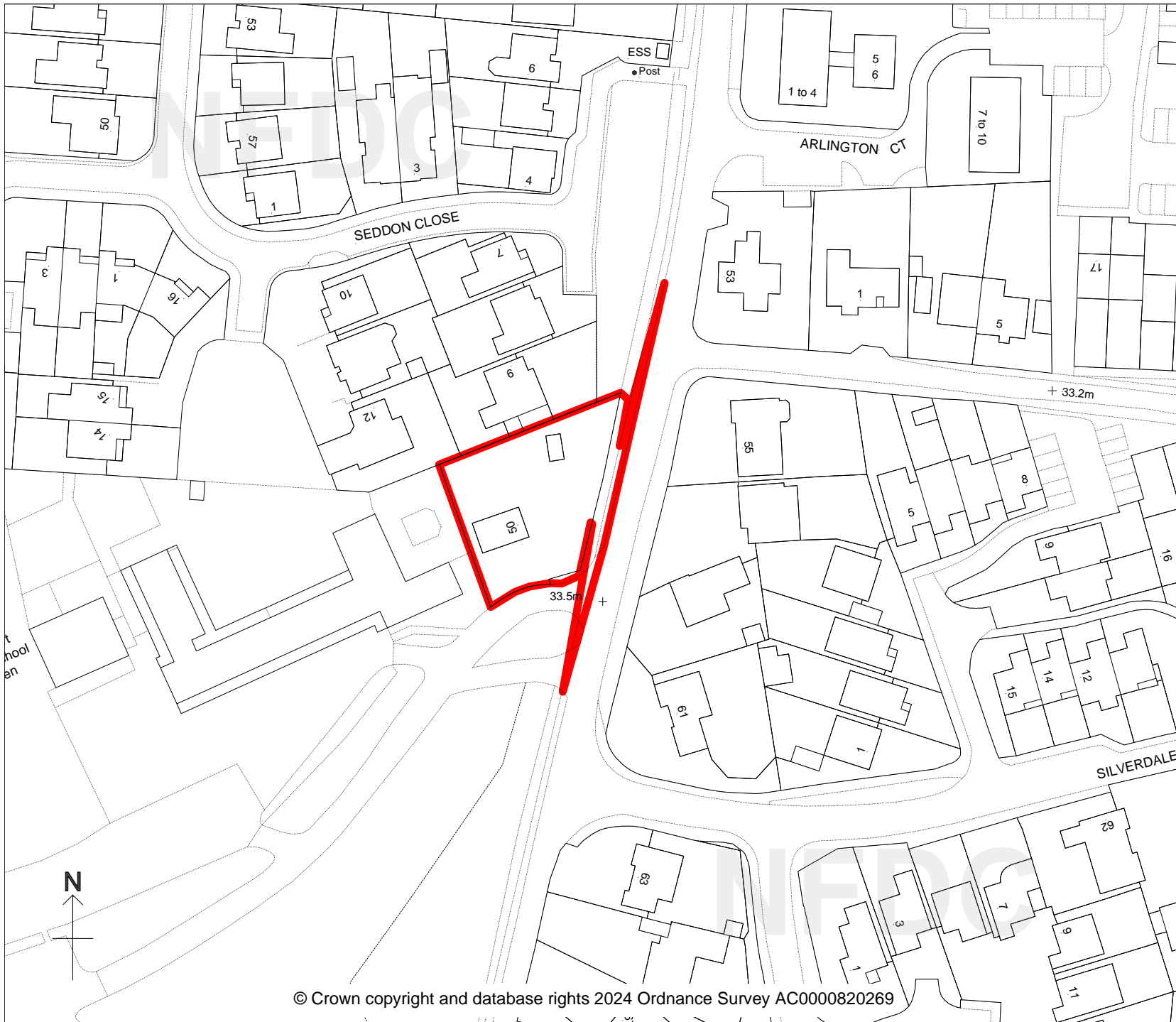
4. Prior to the commencement of any works (including site clearance, demolition and construction works) 3 working days notice shall be given to the Local Planning Authority Tree Officer to attend the pre-commencement site meeting, as set out in the Arboricultural impact appraisal/assessment (AIA) and method statement (Barrell Tree Consultancy dated 28th May 2024 14064-AIA-DC).

Reason: To ensure that the approved tree protection measures are in place before development commences and 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:

Jessica Cooke

Telephone: 023 8028 5909



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DISTRICT COUNCIL

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PLANNING COMMITTEE

December 2024

50 Becton lane
Barton-on-Sea
New Milton
24/10510

Scale 1:1000

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

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Planning Committee 11 December 2024

Application Number: 24/10078 Full Planning Permission
Site: THE GRANARY, 4 HARBRIDGE COURT, SOMERLEY,
ELLINGHAM, HARBRIDGE & IBSLEY BH24 3QG
Development: Extension of living accommodation to replace x2no. bays of
existing car port; rooflights and fenestration alterations
Applicant: Mr Rickwood
Agent: STUDIO BAD
Target Date: 28/03/2024
Case Officer: Kate Cattermole
Officer Recommendation: Refuse
**Reason for Referral
to Committee:** Contrary Parish Council view
Cllr Haywood request

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Impact on the character and appearance of the curtilage listed building
- 2) Ecology

2 SITE DESCRIPTION

Harbridge Court is an isolated group of properties accessed by a gravel track and there is forest to the north of the site. It is located within the countryside.

The application site consists of a two storey building with brick single storey side addition, which was converted into a residential dwelling c 1999. The main accommodation is at first floor level over existing open car ports. At ground floor level is a kitchen and lobby, and also an enclosed store to the other side of the three open car ports. The building is faced with brickwork to the ground floor and west and east gables with horizontal black stained timber cladding at first floor level on the north and south elevations.

The existing dwelling is sited on the edge of a group of properties forming Harbridge Court and to the south of the property are Grade II Listed Buildings. The granary and cart shed now No 4, is a curtilage listed building and is primarily of significance as being a well-preserved example of a common late-18th century granary and cart shed. What sets it apart from such common examples is that it forms part of a model farm designed by architect Samuel Wyatt, who also designed Somerley House and he is recognized as an important architect of his time (The Wyatts, Architects of the Age of Enlightenment - Published by West Midlands History). The granary and cart shed forms part of a historic farmstead which is arranged around a central farmyard. The former farmhouse is located to the east of the farmyard, the barn to the west of the yard and the granary and cart shed is located to the north of the farmyard. The property is located on the northern edge of Harbridge Court fronting a gravel track and backing onto a parking court, with a modest garden area to the east of the dwelling.

3 PROPOSED DEVELOPMENT

The proposal is for planning permission for external alterations to the existing dwelling to extend the living accommodation. This application is running concurrently with an associated Listed Building application 24/10079. Planning permission is required for the proposed development, as permitted development rights in respect of Classes A - H of the General Permitted Development Order Part 1 Schedule 2 were removed under the planning permission 97/62980 to convert the Granary into a residential dwelling.

External alterations comprise the following:

- Infilling of two existing open cart bays to create a ground floor living/dining room with glazed infills to the front elevation and timber infill to the side to separate the converted space from the retained single open cart bay.
- Replacement of existing first floor single glazed timber windows with double glazed units, like for like
- New first floor timber window to south elevation
- Rooflights and change of window to French doors in the single storey side extension on the east elevation
- Flue on south elevation
- Renewing brick unfilled first floor opening to west elevation

Amended plans were received on the 24 May 2024 the amendments were as follows: Juliet balconies removed from first floor windows on south elevation, two ground floor windows from south elevation removed, timber windows rather than aluminium, the end post in the cart bay now embedded in glazing to allow its significance to be revealed and new doorway into converted cart bay from lobby reduced in size.

Further amended plans were received on 20 November 2024 mainly to address mitigation measures as per the bat report: 800mm solid partition incorporated within the glazing to the front of the cart bay, solid timber panel to each side of the existing end post (this replaces the previously amended glazing to 'reveal' the end post), and a false ceiling in the cart bay. The plans have been annotated to clearly identify proposed internal works, and additional section plans have been provided for further clarity.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
24/10079 Extension of living accommodation to replace x2no. bays of existing car port; rooflights and fenestration alterations; internal alterations (Application for listed building consent)		Current	
07/90257 Flue	24/07/2007	Granted Subject to Conditions	Decided
07/89711 Flue (Application for Listed Building Consent)	01/05/2007	Granted Subject to Conditions	Decided
NFDC/97/62980 Alterations and extension to house & buildings to form 8 units & 2 new dwellings.	10/05/1999	Granted Subject to Conditions	Decided
NFDC/97/62981/LBC Alterations and extension to house & buildings to form 8 units & 2 new dwellings.	10/05/1999	Granted Subject to Conditions	Decided

89/NFDC/43684/LBC Erect hotel annexe, cou granary/stables, dem redundant bldgs	31/01/1990	Granted Subject to Conditions	Decided
89/NFDC/43685 Erect hotel annexe, cou granary/stables, dem redundant bldgs	31/01/1990	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

Local Plan Part 2: Sites and Development Management 2014

DM1: Heritage and Conservation

DM2: Nature conservation, biodiversity and geodiversity

DM20: Residential development in the countryside

National Planning Policy Framework

National Planning Policy Guidance

Plan Policy Designations

Countryside

6 PARISH / TOWN COUNCIL COMMENTS

Ellingham, Harbridge & Ibsley Parish Council

The Parish Council considered this application three times, the latest comment is to support the application, however the two previous comments have been included for information

Comment dated 10 October 2024:

Par 3 (Permission) for the reasons listed

Cllrs were broadly in favour of the building being updated but are aware that there are significant differences of opinion between NFDC and the parties representing this application. Cllrs concluded that this application needs to be reviewed at committee. Should the application be granted Cllrs would like the following conditions considered:

European Protected Species Mitigation licence application must be undertaken with appropriate measures conditioned to protect the bats during any building phase.

Suitable light attenuation plan submitted to NFDC.

Recommendation that no additional garage space to be created.

Comment dated 12 July 2024:

Return no determination.

The following comments to be submitted:

Cllrs received a briefing about the proposed works from the architect and applicants. Cllrs noted significant differences between NFDC's Conservation Officer's report on the historical structural and architectural elements of the building and the Heritage Report submitted by the applicant.

It was concluded that an agreed position on this matter between the parties needed to be reached before a determination by the Parish Council could be reached. Cllrs would like clarification of the following:

The fabric of the building

There appears to be a significant difference of opinion between the Conservation Officer's report and the Heritage Report commissioned by the application regarding the historical significance of several elements of the building, which needs to be addressed.

Bat Survey

The second phase of the bat survey and subsequent reports are still outstanding. This information is necessary to aid Cllrs in determining what ecological conditions might be requested should permission be granted.

The applicant / architect claimed that NFDC officers had been unwilling to hold discussions and negotiation about the proposals. Cllrs were disappointed to learn of this. Cllr Haywood offered to investigate the matter with NFDC's Development Control department.

Cllrs would be happy to look at the application again once the outstanding issues are resolved.

Comment dated 14 May 2024

PAR 4 (Refusal) for the reasons listed:

Opinion was mixed regarding the infill of the carports with glazing, however all Cllrs felt there were a number of areas that needed further information. Once the Parish Council (PC) receives this it would be happy to look at the application again

The PC would like further information on the following:

1. The original form of the Granary prior to the 1990's conversion;
2. The observation report submitted by Valerie Sharpe (8 March) noted significant use of the Granary by at least one bat species. The PC would like to see the outcome of a comprehensive survey to confirm or otherwise this observation, and how and where bats may be using the building

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

HCC Rights of Way

No objection subject to conditions. Reference is made to Ellingham Harbridge & Ibsley Bridleway(BW) 42 which runs along a track adjacent to the northern boundary of the site and Ellingham Harbridge & Ibsley Footpath(FP) 30 runs along a track adjacent to the eastern boundary of the site .Assumed private access rights exist along BW42 and FP30, any damage to the surface of the highway network is not liability of HCC to repair and access to the Public Rights of Way (PROW) must remain open. If a temporary closure is required an application needs to be made to HCC giving 8 weeks notice.

NFDC Ecologist is now satisfied following submission of amended plans that the works will be undertaken in a way to retain the bat roosts in situ while mitigating for potential disturbance impacts.

Conservation

Objection

The comments made on the concurrent Listed Building application are also relevant to the considerations of the planning application.

9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received.

For: 3

Against: 0

For:

- improve the property which has been neglected for many years
- needs to be brought up to be more energy efficient
- enclosure of the cart bays with glazing would retain the granary nature of the building, similar examples viewed in South Downs National Park
- the small windows on the south should allow sufficient light without altering the character of the granary
- concerns that the works would disturb dog walkers unfounded, no public parking at Harbridge Court so not many dog walkers here
- Harbridge Court community predominately pension plus age, with few younger people. Occupants of the Granary, younger and good neighbours who can be depended on in an emergency. Development would allow them to create a family home

Comment only:

- Information provided in relation to a bat survey dating from 2021, 230 pipistrelle bats counted in 20 minutes

10 PLANNING ASSESSMENT

10.1 Planning background of the site

In 1990 planning permission was granted for the Granary to be converted into offices, as part of a proposed hotel development for the site. This consent was part implemented, but not completed. At this stage the Granary was described as 'a two storey building part brick/part shiplap open bays and two garage areas access roadside. First floor high level shuttered windows (5) and hay door facing farm yard. Slate roof.' (Planning Officer site visit notes dated 18/12/89 - planning application 43684)

By 1997 it appears that the site was under new ownership and the buildings were falling into disrepair. Applications were submitted to convert the buildings into residential units of accommodation, and the full and sympathetic restoration of the buildings and encouraging a long term viable use was identified as the next preferred stage. During the process of these applications to convert the buildings into residential units to ensure their long term retention (62980-1), an emphasis was placed on retaining the character of the ancillary buildings which was considered essential both in terms of their individual value and the setting of the listed buildings.

Permission was granted for the conversion of this group of buildings to residential use in 1999, and the Granary was converted into a single unit of residential accommodation, with only the replacement of the existing lean to with a slightly larger one. Fenestration changes and internal subdivisions at first floor level were also required. However during the conversion process, the retention of the open bays at ground floor level was stated as being essential (Conservation officer Paula Freeland comments dated 1997 in respect of future proposals at Nea Farm - planning application 43685) , and to ensure control over any future proposed works to the building, permitted development rights were withdrawn. As already acknowledged this building is an integral part of the historic and agricultural significance of this group of buildings, and the retention of the cart bays was considered intrinsic to the character of the building.

The Granary,4 Harbridge Court was first sold as a residential dwelling in 2000, and there is no suggestion that it has not fulfilled its use successfully as a residential dwelling, albeit offering limited accommodation compared to the other converted dwellings on site. It is currently a well maintained 2 bedroom property,and there is no suggestion that since its conversion it has not functioned adequately as a residential property.

10.2 Impact on the Listed Building

There is a duty imposed by Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring decision makers, be they officers, or Council Members, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Policy ENV3 requires development to be sympathetic to their environment whilst respecting local distinctiveness, character and identity. Policy DM1 requires heritage assets to be protected in proportion to their significance and this includes the setting of the heritage asset and the public enjoyment of this. In order to secure the long term future of the heritage asset, proposals should not materially harm its significance or its setting.

The farmhouse, now converted into three dwellings and now known as Nea Farm Flats and the barn, subdivided into two further dwellings, were listed in 1987. Even though the Granary was not individually listed it is a curtilage listed building. The National Planning Practice Guidance (NPPG) confirms that a Listed building is a building which has been designated because of its special architectural or historic interest and (unless the list entry indicates otherwise) includes not only the building itself but also:

- any object or structure fixed to the building
- any object or structure within the curtilage of the building which, although not fixed to the building, forms part of the land and has done so since before 1 July 1948

The Heritage Statement By Sarum, submitted in support of this application states:

5.12 The granary and cart shed is a curtilage listed building and therefore deemed by Historic England to be a designated heritage asset of national importance and of special interest. The building is primarily of significance as being externally a well-preserved example of a common late-18th century granary and cart shed. What sets it apart for (from) such common examples is that is (it) forms part of a model farm designed by S. Wyatt. Internally there is little evidence to suggest it was a granary at first floor. The model farm is also generally well-preserved.

5.13 The granary and cart shed has been constructed using vernacular materials and traditional methods of construction, which provides a good record of local building traditions and an important reminder of English farming traditions. It is a characterful traditional farm building set within a historic farmstead and a rural landscape, which contributes positively to its setting.

According to the Heritage Statement Samuel Wyatt was an architect who also designed Somerley House and the model farm at Shugborough Hall Staffordshire. Throughout the 18th Century the architects designing great country houses also prepared designs for farm buildings. In these model farms, farmstead layouts depended mainly on the quadrangle, and this arrangement is reminiscent of Nea Farm.

The proposed development involves a number of separate elements which are assessed individually:

10.2.1 Fenestration changes:

It is proposed to replace the existing first floor windows in the north and south elevation, with like for like timber frame replacements but the glazing would be changed from single glazing to double glazing. A full length window would be introduced on the south elevation in a historic opening. Three rooflights are proposed on the east elevation in the roofslope of the single storey extension, and the change of a window to a door on the east elevation.

When the Granary was converted to residential use in 1999, alterations were made to the openings of the first floor windows on the north and south elevations, so the majority of these windows would not be historic. The amendments received in May removed the Juliet balconies from the south elevation and stated that the windows would be replaced with timber windows rather than aluminium. These amendments were welcome, especially the removal of the Juliet balconies which would have eroded the historic significance of the building and the contribution it makes to the wider group of buildings. The replacement of like for like windows with slimline double glazed windows would have a neutral impact on the significance of the designated heritage asset.

The proposed rooflights and French door would be on the modern single storey side extension so would not impact on historic fabric. The heritage statement states that the rooflights would be flush fitting, so would be quite discrete in this location.

To conclude the fenestration changes would not overly alter the character and appearance of the building, and the introduction of slimline double glazing would improve the energy efficiency of the building. As such this aspect of the proposal would preserve the character and appearance of the building and allow it to function for its optimum use, thereby complying with statutory legislation and national and local policies.

10.2.2 Flue

A note on the proposed elevations plans, indicate that the flue proposed on the south elevation, was approved under planning reference 07/90257. However, the 2007 application gave permission for a flue to be installed on the north elevation to serve a wood burner to be installed on the first floor of the building, not the south elevation. Even though the flue would be in a different position on the building, in 2007 it was noted that there were similar structures on surrounding properties and therefore this would not adversely impact upon the character or setting of the Listed Building. The flue in itself is not considered harmful to the character and appearance of the Listed Building, and would preserve that character and appearance of the Listed Building and therefore this aspect of the proposal also

complies with statutory legislation and national and local policies.

10.2.3 Replacement brickwork to west elevation

There is no objection to this aspect of the proposal as this development would still allow for the bricked up door to be read within the elevation, and it would preserve the character and appearance of the building and allow for its significance as a previously ancillary agricultural building to be read within the context of this group of buildings. It would thereby preserve the character and appearance of the building and comply with statutory legislation and national and local policies.

10.2.4 Enclosing of cart bays, and ground floor rear window in south elevation

This group of buildings were converted to residential, as this was the optimum viable use to ensure the long term preservation of these buildings. Nevertheless, they have retained their cohesion as a unit, and the character and integrity of each of the individual buildings adds to the integrity of the whole. The infilling of the cart bays would erode the character and significance of the building. Furthermore, it would impact on the group of the buildings as a whole.

Amended plans received in May proposed glazing either side of the end post adjacent to the retained open cart bay, but this was further amended in November to introduce timber infills in response to the ecologist concerns with regard to the bat roost. The glazing around the end post did not address the concerns with regard to the enclosure of the cart bays. Furthermore, the loss of further historic fabric in the provision of an internal doorway to access the converted cart bay and the single ground floor window in the south elevation are only required to facilitate the enclosure of this space for ancillary living accommodation in conjunction with the main dwelling.

The proposed glazing to the front of the cart bays would not allow the cart bays to be read as an open space when viewed from the public realm and public right of way (Bridleway 40 follows the track to the front of the Granary on an east-west alignment). The latest amended plan has introduced an 800mm timber strip to the side of the glazing, to prevent light spill impacting upon an access point for bats which roost above the existing ceiling of the cart bays. The presence of this strip will reduce the extent of the glazing in this prominent area of the building, so it would undermine the design ethos of a sense of openness that the proposal was trying to achieve.

In correspondence dated 23 May 2024 from Draycotts, who were acting as a Planning Consultant for the applicants, it is stated: 'no privacy screening is proposed or specified; this would not be necessary.' The domestic use of this space would be clearly visible from the public realm, eroding the sense of openness that is an important feature of the building and contributes to its significance as part of a model farm designed in the 18th Century.

Even though there are individual elements of the proposed works that could be supported, as identified at 10.2.1-10.2.3 of this report, the enclosure of the cart bays would result in less than substantial harm to the designated heritage asset. The Granary, by reason of its siting, is the most prominent building of the S.Wyatt designed model farm and this part of the proposed works would erode the character and significance of the listed building.

Paragraph 208 of the National Planning Policy Framework states: *'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'*

The building has already been successfully converted to a residential use, and functioned as such for over 20 years. Letters of support submitted on the planning application and also attached to a subsequent rebuttal from the agent suggest that the applicants by reason of their youth would be able to assist in the event of emergency help being required. However this is not considered a public benefit that would outweigh the harm that would result from the enclosure of the cart bays. As such the proposed works would not preserve or enhance the character, appearance and significance of the Listed Building and would result in less than substantial harm. Therefore the proposed works would be contrary to the statutory legislation and national and local planning policies.

10.3 Impact on the character and appearance of the rural character of the area.

Policy ENV3 of the Local Plan Part 1 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.

This property is located within the countryside where Policy DM20 of the Local Plan Part 2 is also relevant. This policy only permits limited extensions to existing dwellings that are of an appropriate design, scale and appearance in keeping with the rural character of the area. This policy includes a quantitative measure whereby extensions should not normally provide an increase in floorspace of more than 30%. However, some flexibility may be applied to the quantitative element when considering proposals for conservatories.

As the proposed development would be enclosing an area already within the envelope of the building it would not be creating any new floorspace for the purposes of Policy DM20, therefore it would comply with the quantitative element of this policy.

The enclosure of the cart bays has been identified as adversely impacting upon the character and appearance of the Listed Building and the group of properties which form part of the historic farmstead, as such the proposed development would detract from the character and identity of the locality. Furthermore, it erodes the agricultural character of the Granary, which is considered of significance in this location. As such the proposed development would be contrary to Policies ENV3 and DM20.

10.4 Residential amenity

Policy ENV3 states that new development will be required to avoid unacceptable effects by reason of visual intrusion or overbearing impact, overlooking, shading, noise and light pollution or other adverse impacts on residential amenity.

Due to the nature of the proposed development and relationship with other properties within the complex of Harbridge Court, there are no identified concerns with regards to adverse impact upon residential amenity and therefore the proposed development in this respect complies with Policy ENV3. However this does not outweigh the harm identified to the character and appearance of this sensitive location.

10.5 Ecology

Policy DM2 of the Local Plan Part 2 is aimed at protecting protected species.

Early on in the process of this planning application, information was provided that suggested the Granary was a bat roost, and this was confirmed by local data. An ecology survey was requested, and subsequently a phase 1 Bat Survey was provided that confirmed that bats were present on site. Three surveys were required to be undertaken. The final report following the surveys undertaken by a qualified

ecologist was submitted on 16 September 2024. The results of the survey recorded a peak count of 760 soprano pipistrelle and three brown long-eared bats emerging from the entire building. At its peak 20 soprano pipistrelle were seen emerging from the cart bays. It was therefore concluded that the building contains a soprano pipistrelle maternity roost and a brown long-eared bat day roost. By virtue of the number of bats present at the building, this is a significant bat roost.

If there is the possibility of disturbing or destroying a bat roost, a Natural England European Protect Species (EPS) mitigation licence would be required. Initially the NFDC Ecologist objected to the proposed development, as they were of the view that the development would disturb the roost, but the applicants ecologist disputed this. However these concerns have been addressed following the receipt of amended plans which show the following:

- the timber infill between the living space and the retained open area of the cart bay
- timber partition to east of front glazing; and
- installation of false ceiling within cart bays attached to existing battens on current ceiling; and
- additional details of working methods to ensure that roosting bats are not impacted by the proposal and to avoid disturbance impacts on the retained roosts.

As such the NFDC ecologist is no longer objecting to the proposed development subject to conditions being imposed to require an updated survey on completion of works and adherence to the Method Statement. To conclude based on the updated method statement and amended plans the NFDC Ecologist is satisfied that the proposed development would be acceptable in respect of its impact on the bat roost and therefore complies with Policy DM2.

11 OTHER MATTERS

None

12 CONCLUSION / PLANNING BALANCE

Notwithstanding that there are no concerns in respect of residential amenity, and the ecology concerns have been addressed in respect of the bats, these do not outweigh the identifiable harm to the character and appearance of the Listed Building and the wider area. Even though there are aspects of the proposed development that could be acceptable there is no mechanism in place to reach a split decision.

The proposed development would be contrary to Policy DM1 of the Local Plan Part 2, as the enclosure of the cart bays would erode the agricultural character and appearance of the building, which is currently maintained by the open space at ground floor level, and its significance within this important group of buildings which are a well preserved example of a common late 18th Century granary and cart shed. This significance is elevated, as it forms part of a model historic farmstead which is arranged around a central farmstead. This group of buildings have been converted to residential, but have retained their cohesion as a unit and the character and integrity of each of the individual buildings adds to the integrity of the whole. Furthermore the proposed works would not be sympathetic to their environment, nor respect local distinctiveness, character and identity and therefore would also be contrary to Policy ENV3 of the Local Plan Part 1.

As such the proposed works would result in less than substantial harm, and there is no identified public benefit to outweigh the harm and therefore is recommended for refusal as it would be contrary to national and local planning policy, and statutory legislation.

13 RECOMMENDATION

Refuse

Reason(s) for Refusal:

1. The enclosure of the cart bays would erode the agricultural character and appearance of the curtilage listed building, which is currently maintained by the open space at ground floor level, and its significance within this important group of listed buildings which are a well preserved example of a common late 18th Century granary and cart shed; this significance is elevated, as it forms part of a model farm designed by S Wyatt. As such the proposed development would result in less than substantial harm, and there is no identified public benefit to outweigh the harm and would be contrary to Policy DM1 of the Local Plan Part 2, Policy ENV3 of the Local Plan Part 1 and chap 16 of the National Planning Policy Framework.

Further Information:

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PLANNING COMMITTEE

December 2024

The Granary
4 Harbridge Court
Somerley
24/10078 and 24/10079

LB

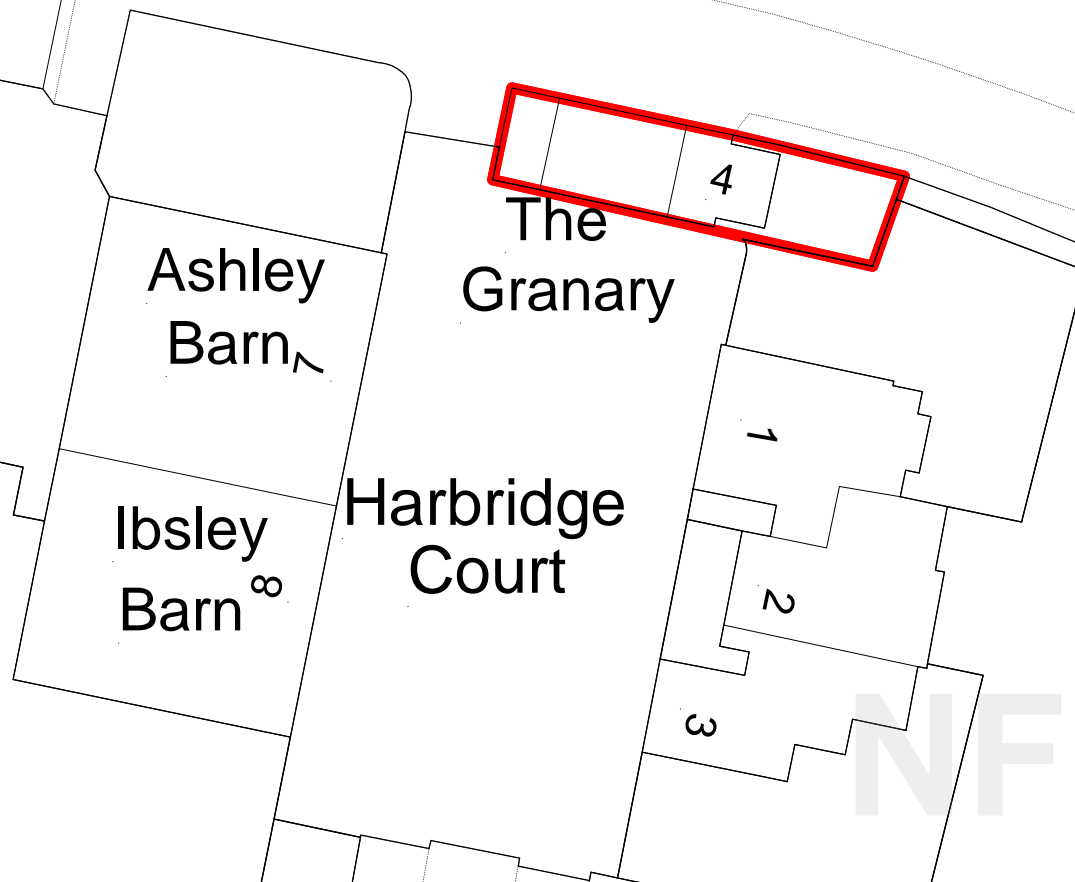
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Planning Committee 11 December 2024

Application Number: 24/10079 Listed Building Alteration
Site: THE GRANARY, 4 HARBRIDGE COURT, SOMERLEY,
ELLINGHAM, HARBRIDGE & IBSLEY BH24 3QG
Development: Extension of living accommodation to replace x2no. bays of
existing car port; rooflights and fenestration alterations;
internal alterations (Application for listed building consent)
Applicant: Mr Rickwood
Agent: STUDIO BAD
Target Date: 28/03/2024
Case Officer: Kate Cattermole
Officer Recommendation: Refuse
**Reason for Referral
to Committee:** Contrary Parish Council view
Cllr Haywood request

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) impact on character, appearance and significance of listed building

2 SITE DESCRIPTION

Harbridge Court is an isolated group of properties accessed by a gravel track and there is forest to the north of the site. It is located within the countryside.

The application site consists of a two-storey building with brick single storey side addition, which was converted into a residential dwelling c 1999. The main accommodation is at first floor level over existing open car ports. At ground floor level is a kitchen and lobby, and an enclosed store to the other side of the three open car ports. The building is faced with brickwork to the ground floor and west and east gables with horizontal black stained timber cladding at first floor level on the north and south elevations.

The existing dwelling is sited on the edge of a group of properties forming Harbridge Court and to the south of the property are Grade II Listed Buildings. The granary and cart shed now No 4, is a curtilage listed building and is primarily of significance as being a well-preserved example of a common late-18th century granary and cart shed. What sets it apart from such common examples is that it forms part of a model farm designed by architect Samuel Wyatt, who also designed Somerley House and he is recognized as an important architect of his time (The Wyatts, Architects of the Age of Enlightenment - Published by West Midlands History). The granary and cart shed forms part of a historic farmstead which is arranged around a central farmyard. The former farmhouse is located to the east of the farmyard, the barn to the west of the yard and the granary and cart shed is located to the north of

the farmyard. The property is located on the northern edge of Harbridge Court fronting a gravel track and backing onto a parking court, with a modest garden area to the east of the dwelling

3 PROPOSED DEVELOPMENT

The proposal is for Listed Building consent for external and internal alterations to the existing dwelling as follows:

External alterations:

- Infilling of two existing open cart bays to create a ground floor living/dining room with glazed infills to the front elevation and timber infill to the side to separate the converted space from the retained single open cart bay
- Replacement of existing first floor single glazed timber windows with double glazed units, like for like
- New first floor timber window to south elevation
- Rooflights and change of window to French doors in the single storey side extension on the east elevation
- Flue on south elevation
- Renewing brick unfilled first floor opening to west elevation.

Internal alterations:

- false ceiling in proposed living/dining room
- opening in existing wall to provide internal access into converted cart bay
- installation of wood burner at ground floor level with flue
- replacement of existing staircase with spiral staircase and glazed platform at top of staircase and creation of void above ground floor
- further subdivision of first floor to create third bedroom

Amended plans were received on the 24 May 2024 the amendments were as follows: Juliet balconies removed from first floor windows on south elevation, two ground floor windows from south elevation removed, timber windows rather than aluminium, the end post in the cart bay now embedded in glazing to allow its significance to be revealed and new doorway into converted cart bay from lobby reduced in size.

Further amended plans were received on 20 November 2024 mainly to address mitigation measures as per the bat report: 800mm solid partition incorporated within the glazing to the front of the cart bay, solid timber panel to each side of the existing end post (this replaces the previously amended glazing to 'reveal' the end post), and a false ceiling in the cart bay The plans have been annotated to clearly identify proposed internal works, and additional section plans have been provided for further clarity.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
24/10078 Extension of living accommodation to replace x2no. bays of existing car port; rooflights and fenestration alterations			Awaiting determination
07/90257 Flue	24/07/2007	Granted Subject to Conditions	Decided
07/89711 Flue (Application for Listed Building Consent)	01/05/2007	Granted Subject to Conditions	Decided

NFDC/97/62980 Alterations and extension to house & buildings to form 8 units & 2 new dwellings.	10/05/1999	Granted Subject to Conditions	Decided
NFDC/97/62981/LBC Alterations and extension to house & buildings to form 8 units & 2 new dwellings.	10/05/1999	Granted Subject to Conditions	Decided
92/NFDC/50188/LBC Convert farmhouse, barn & granary (demolish extg outbldgs) :	31/01/1995	Withdrawn by Applicant	Withdrawn
89/NFDC/43684/LBC Erect hotel annexe, cou granary/stables, dem redundant bldgs	31/01/1990	Granted Subject to Conditions	Decided
89/NFDC/43685 Erect hotel annexe, cou granary/stables, dem redundant bldgs	31/01/1990	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

Local Plan Part 2: Sites and Development Management 2014

DM1: Heritage and Conservation

DM2: Nature conservation, biodiversity and geodiversity

DM20: Residential development in the countryside

National Planning Policy Framework

National Planning Policy Guidance

Plan Policy Designations

Countryside

6 PARISH / TOWN COUNCIL COMMENTS

Ellingham, Harbridge & Ibsley Parish Council

The Parish Council considered this application three times, the latest comment is to support the application, however the two previous comments have been included for information.

Comment dated 10 October 2024:

Par 3 (Permission) for the reasons listed

Cllrs were broadly in favour of the building being updated but are aware that there are significant differences of opinion between NFDC and the parties representing this application. Cllrs concluded that this application needs to be reviewed at committee. Should the application be granted Cllrs would like the following conditions considered:

- European Protected Species Mitigation licence application must be undertaken with appropriate measures conditioned to protect the bats during any building phase.
- Suitable light attenuation plan submitted to NFDC.

Recommendation that no additional garage space to be created.

Comment dated 12 July 2024:

Return no determination

The following comments to be submitted:

Cllrs received a briefing about the proposed works from the architect and applicants. Cllrs noted significant differences between NFDCs Conservation Officers report on the historical structural and architectural elements of the building and the Heritage Report submitted by the applicant.

It was concluded that an agreed position on this matter between the parties needed to be reached before a determination by the Parish Council could be reached. Cllrs would like clarification of the following:

The fabric of the building

There appears to be a significant difference of opinion between the Conservation Officer's report and the Heritage Report commissioned by the application regarding the historical significance of several elements of the building, which needs to be addressed.

Bat Survey

The second phase of the bat survey and subsequent reports are still outstanding. This information is necessary to aid Cllrs in determining what ecological conditions might be requested should permission be granted.

The applicant / architect claimed that NFDC officers had been unwilling to hold discussions and negotiation about the proposals. Cllrs were disappointed to learn of this. Cllr Haywood offered to investigate the matter with NFDC's Development Control department.

Cllrs would be happy to look at the application again once the outstanding issues are resolved.

Comment dated 14 March 2024:

PAR 4 (Refusal) for the reasons listed:

Opinion was mixed regarding the infill of the carports with glazing, however all Cllrs felt there were a number of areas that needed further information. Once the Parish Council (PC) receives this it would be happy to look at the application again

The PC would like further information on the following:

1. The original form of the Granary prior to the 1990's conversion;
2. The observation report submitted by Valerie Sharpe (8 March) noted significant use of the Granary by at least one bat species. The PC would like to see the outcome of a comprehensive survey to confirm or otherwise this observation, and how and where bats may be using the building

7 COUNCILLOR COMMENTS

Cllr John Haywood: Support

As the ward councillor for Ringwood North and Ellingham, I concur with Ellingham, Harbridge and Ibsley Parish Council.

8 **CONSULTEE COMMENTS**

Comments have been received from the following consultees:

HCC Rights of Way

No objection subject to conditions

Reference is made to Ellingham Harbridge & Ibsley Bridleway(BW) 42 which runs along a track adjacent to the northern boundary of the site and Ellingham Harbridge & Ibsley Footpath(FP) 30 runs along a track adjacent to the eastern boundary of the site .Assumed private access rights exist along BW42 and FP30, any damage to the surface of the highway network is not liability of HCC to repair and access to the Public Rights of Way (PROW) must remain open. If a temporary closure is required an application needs to be made to HCC giving 8 weeks notice.

Conservation:

Objection:

The proposed works including the amendments proposed will harm the significance of the heritage assets and do not accord with Section 16 of the NPPF 2023 or Local Plan Part 2 Sites and development Management – DM1 which requires that development should conserve or enhance the significance of heritage assets taking account of their character, appearance and setting.

9 **REPRESENTATIONS RECEIVED**

No representations received.

10 **PLANNING ASSESSMENT**

10.1 Planning background of the site

In 1990 planning permission was granted for the Granary to be converted into offices, as part of a proposed hotel development for the site. This consent was part implemented, but not completed. At this stage the Granary was described as 'a two-storey building part brick/part shiplap open bays and two garage areas access roadside. First floor high level shuttered windows (5) and hay door facing farmyard. Slate roof. ' (Planning Officer site visit notes dated 18/12/89 - planning application 43684).

By 1997 it appears that the site was under new ownership and the buildings were falling into disrepair. Applications were submitted to convert the buildings into residential units of accommodation, and the full and sympathetic restoration of the buildings and encouraging a long term viable use was identified as the next preferred stage. During the process of these applications to convert the buildings into residential units to ensure their long term retention (62980-1), an emphasis was placed on retaining the character of the ancillary buildings which was considered essential, both in terms of their individual value and the setting of the listed buildings.

Permission was granted for the conversion of this group of buildings to residential use in 1999, and the Granary was converted into a single unit of residential accommodation, with only the replacement of the existing lean to with a slightly larger one. Fenestration changes and internal subdivisions at first floor level were also required. However during the conversion process, the retention of the open bays at ground floor level was stated as being essential (Conservation officer Paula Freeland comments dated 1997 in respect of future proposals at Nea Farm -

planning application 43685), and to ensure control over any future proposed works to the building, permitted development rights were withdrawn. As already acknowledged this building is an integral part of the historic and agricultural significance of this group of buildings, and the retention of the cart bays was considered intrinsic to the character of the building.

The Granary,4 Harbridge Court was first sold as a residential dwelling in 2000, and there is no suggestion that it has not fulfilled its use successfully as a residential dwelling, albeit offering limited accommodation compared to the other converted dwellings on site. It is currently a well maintained 2 bedroom property,and there is no suggestion that since its conversion it has not functioned adequately as a residential property.

10.2 Impact on the Listed Building

There is a duty imposed by Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring decision makers, be they officers, or Council Members, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Policy ENV3 requires works to be sympathetic to their environment whilst respecting local distinctiveness, character and identity. Policy DM1 requires heritage assets to be protected in proportion to their significance and this includes the setting of the heritage asset and the public enjoyment of this. In order to secure the long term future of the heritage asset, proposals should not materially harm its significance or its setting.

The farmhouse, now converted into three dwellings and now known as Nea Farm Flats and the barn, subdivided into two further dwellings, were listed in 1987. Even though the Granary was not individually listed it is a curtilage listed building. The National Planning Practice Guidance (NPPG) confirms that a Listed building is a building which has been designated because of its special architectural or historic interest and (unless the list entry indicates otherwise) includes not only the building itself but also:

- any object or structure fixed to the building
- any object or structure within the curtilage of the building which, although not fixed to the building, forms part of the land and has done so since before 1 July 1948

Therefore even though the Granary is not individually listed, it is a curtilage listed building.

The Heritage Statement By Sarum, submitted in support of this application states:

5.12 The granary and cart shed is a curtilage listed building and therefore deemed by Historic England to be a designated heritage asset of national importance and of special interest. The building is primarily of significance as being externally a well-preserved example of a common late-18th century granary and cart shed. What sets it apart for (from) such common examples is that is (it) forms part of a model farm designed by S. Wyatt. Internally there is little evidence to suggest it was a granary at first floor. The model farm is also generally well-preserved.

5.13 The granary and cart shed has been constructed using vernacular materials and traditional methods of construction, which provides a good record of local building traditions and an important reminder of English farming traditions. It is a characterful traditional farm building set within a historic farmstead and a rural landscape, which contributes positively to its setting.

According to the Heritage Statement Samuel Wyatt was an architect who also designed Somerley House and the model farm at Shugborough Hall Staffordshire. Throughout the 18th Century the architects designing great country houses also prepared designs for farm buildings. In these model farms, farmstead layouts depended mainly on the quadrangle, and this arrangement is reminiscent of Nea Farm.

The proposed works involves a number of separate elements which are assessed individually:

10.2.1 Fenestration changes

It is proposed to replace the existing first floor windows in the north and south elevation, with like for like timber frame replacements but the glazing would be changed from single glazing to double glazing. A full length window would be introduced on the south elevation in a historic opening. Three rooflights are proposed on the east elevation in the roofslope of the single storey extension, and the change of a window to a door on the east elevation.

When the Granary was converted to residential use in 1999, alterations were made to the openings of the first floor windows on the north and south elevations, so the majority of these windows would not be historic. The amendments received in May removed the Juliet balconies from the south elevation and stated that the windows would be replaced with timber windows rather than aluminium. These amendments were welcome, especially the removal of the Juliet balconies which would have eroded the historic significance of the building and the contribution it makes to the wider group of buildings. The replacement of like for like windows with slimline double glazed windows would have a neutral impact on the significance of the designated heritage asset.

The proposed rooflights and French door would be on the modern single storey side extension so would not impact on historic fabric. The heritage statement states that the rooflights would be flush fitting, so would be quite discrete in this location and acceptable.

To conclude the fenestration changes would not overly alter the character and appearance of the building, and the introduction of slimline double glazing would improve the energy efficiency of the building. As such this aspect of the proposal would preserve the character and appearance of the building and allow it to function for its optimum use, thereby complying with statutory legislation and national and local policies.

10.2.2 Flue

A note on the proposed elevations plans, indicate that the flue proposed on the south elevation, was approved under planning reference 07/90257. However, the 2007 application gave permission for a flue on the north elevation to serve a wood burner to be installed on the first floor of the building. Even though the flue would be in a different position on the building, in 2007 it was noted that there were similar structures on surrounding properties and therefore would not adversely impact upon the character or setting of the Listed Building. The flue in itself is not considered harmful to the character and appearance of the Listed Building, and would preserve that character and appearance of the Listed Building and therefore this aspect of the proposal also complies with statutory legislation and national and local policies.

10.2.3 Replacement brickwork to west elevation

There is no objection to this aspect of the proposal as these works would still allow for the bricked up door to be read within the elevation, and it would preserve the character and appearance of the building and allow for its significance as a previously ancillary agricultural building to be read within the context of this group of buildings thereby preserving the character and appearance of the building and complying with statutory legislation and national and local policies.

10.2.4 Internal alterations

The proposed subdivision of the first floor, with the creation of a third bedroom, would reflect the position of an original grain bin, as per the floor plan submitted in support of the 1989 application. Even though this would result in the loss of openness in the loft, it would reflect the historic layout of the Granary reinforcing its historic origins as an agricultural outbuilding. The addendum to the heritage statement identifies that the existing internal staircase was a modern addition, and due to the works involved in the conversion there is unlikely to be historic fabric remaining in this area that would be adversely impacted upon by the installation of the spiral staircase.

The provision of a false ceiling within the cart bays, has been proposed as part of the latest set of amended plans received on the 20 November 2024. This ceiling would be attached to existing battens and would be between the timber posts. This false ceiling would not interfere with any historic fabric and there is no objection to this part of the proposal.

Therefore these internal alterations would not impact on the character and significance of the building and its relationship with the neighbouring listed buildings. Furthermore, it would support the function of the building in its current use as a residential dwelling, as the viable use thereby preserving the building.

10.2.5 Enclosing of cart bays, new internal access door and ground floor rear window in south elevation

This group of buildings were converted to residential, as this was the optimum viable use to ensure the long term preservation of these buildings. Nevertheless, they have retained their cohesion as a unit, and the character and integrity of each of the individual buildings adds to the integrity of the whole. The infilling of the cart bays would erode the character and significance of the building. Furthermore, it would impact on the group of the buildings as a whole.

Amended plans received in May proposed glazing either side of the end post adjacent to the retained open cart bay, but this was further amended in November to introduce timber infills in response to the ecologist concerns with regard to the bat roost. The glazing around the end post did not address the concerns with regard to the enclosure of the cart bays. Furthermore, the loss of further historic fabric in the provision of an internal doorway to access the converted cart bay and the single ground floor window in the south elevation are only required to facilitate the enclosure of this space for ancillary living accommodation in conjunction with the main dwelling.

The proposed glazing to the front of the cart bays would not allow the cart bays to be read as an open space when viewed from the public realm and public right of way (Bridleway 40 follows the track to the front of the Granary on an east-west alignment). The latest amended plan has introduced an 800mm timber strip to the side of the glazing, to prevent light spill impacting upon an access point for bats which roost above the existing ceiling of the cart bays. The presence of this strip will

reduce the extent of the glazing in this prominent area of the building, so it would undermine the design ethos of a sense of openness that the proposal was trying to achieve.

In correspondence dated 23 May 2024 from Draycotts, who were acting as a Planning Consultant for the applicants, it is stated: ' no privacy screening is proposed or specified; this would not be necessary.' The domestic use of this space would be clearly visible, eroding the sense of openness that is an important feature of the building and contributes to its significance as part of a model farm designed in the 18th Century.

Even though there are individual elements of the proposed works that could be supported, as identified at 10.2.1-10.2.4 of this report, the enclosure of the cart bays would result in less than substantial harm to the designated heritage asset. The Granary, by reason of its siting, is the most prominent building of the S.Wyatt designed model farm and this part of the proposed works would erode the character and significance of the listed building.

Paragraph 208 of the National Planning Policy Framework states: *'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'*

The building has already been successfully converted to a residential use, and functioned as such for over 20 years. Letters of support submitted on the concurrent planning application and also attached to a subsequent rebuttal from the agent suggest that the applicants by reason of their youth would be able to assist in the event of emergency help being required. However this is not considered a public benefit that would outweigh the harm that would result from the enclosure of the cart bays. As such the proposed works would not preserve or enhance the character, appearance and significance of the Listed Building and would result in less than substantial harm. Therefore the proposed works would be contrary to the statutory legislation and national and local planning policies.

11 OTHER MATTERS

None

12 CONCLUSION / PLANNING BALANCE

The proposed development would be contrary to Policy DM1 of the Local Plan Part 2, as the enclosure of the cart bays would erode the agricultural character and appearance of the building, which is currently maintained by the open space at ground floor level, and its significance within this important group of buildings which are a well preserved example of a common late 18th Century granary and cart shed. This significance is elevated, as it forms part of a model farm designed by S Wyatt, and forms part of a historic farmstead which is arranged around a central farmstead. This group of buildings have been converted to residential, but have retained their cohesion as a unit and the character and integrity of each of the individual buildings adds to the integrity of the whole. Furthermore the proposed works would not be sympathetic to their environment, nor respect local distinctiveness, character and identity and therefore would also be contrary to Policy ENV3 of the Local Plan Part 1.

As such the proposed works would result in less than substantial harm, and there is no identified public benefit to outweigh the harm and therefore is recommended for refusal as it would be contrary to national and local planning policy, and statutory legislation.

13 RECOMMENDATION

REFUSE LISTED BUILDING CONSENT

Reason(s) for Refusal:

1. The enclosure of the cart bays would erode the agricultural character and appearance of the curtilage listed building, which is currently maintained by the open space at ground floor level, and its significance within this important group of listed buildings which are a well preserved example of a common late 18th Century granary and cart shed; this significance is elevated, as it forms part of a model farm designed by S Wyatt. The conversion of the cart bays to ancillary domestic use would also require intervention into the existing historic fabric with the installation of an internal doorway and ground floor window which are only required due to the change of the use of the current open space. As such the proposed works would result in less than substantial harm, and there is no identified public benefit to outweigh the harm and would be contrary to Policy DM1 of the Local Plan Part 2, Policy ENV3 of the Local Plan Part 1 and chap 16 of the National Planning Policy Framework.

Further Information:

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PLANNING COMMITTEE

December 2024

The Granary
4 Harbridge Court
Somerley
24/10078 and 24/10079

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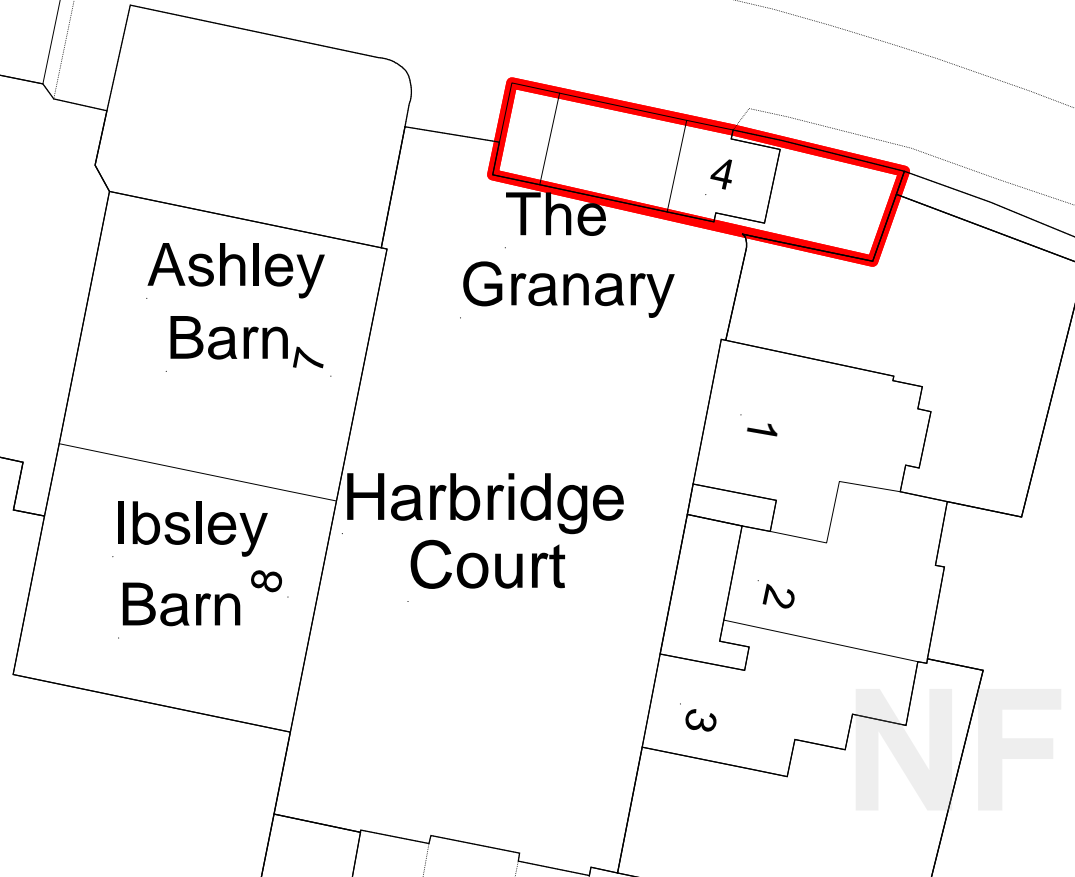
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Planning Committee 11 December 2024

Application Number: 24/10799 Full Planning Permission
Site: 7 IVOR CLOSE, HOLBURY, FAWLEY SO45 2NY
Development: Construction of 1.5 Storey building to create home office and home gym facilities
Applicant: Tab Weld Ltd
Agent: Mr King
Target Date: 11/11/2024
Case Officer: Julie Parry
Officer Recommendation: Refuse
Reason for Referral to Committee: Contrary Parish Council view

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Principle of development
- 2) Impact on the local character and appearance in terms of scale and design
- 3) Use of the outbuilding
- 4) Impact on neighbour amenity in terms of outlook, loss of light and privacy

This application is to be considered by Committee because of a contrary view received from the Parish Council.

2 SITE DESCRIPTION

The property is a detached bungalow, positioned towards the end of a cul-de-sac of similar dwellings within the built-up area of Holbury. To the side of the property is a detached garage with a pitched roof which is consistent with neighbouring outbuildings. Within the rear garden, construction commenced on a detached outbuilding which was the subject of a previous planning permission in 2021 but which has not been completed. The generous rear garden is enclosed with high fences and a row of fir trees on the west and north boundary, along with a lower wall on the east boundary. Beyond the rear of the site is the large retail unit, Co-Op on Long Lane, which is visible from Ivor Close.

3 PROPOSED DEVELOPMENT

The application seeks planning permission for a one and a half storey detached outbuilding within the rear garden. The building would be used as a gym with kitchen and shower room at ground floor, with a mezzanine floor at first floor for a home office, with both floors being served by a large glazed frontage.

The proposed development overlaps with the outbuilding approved in 2021, and so it would not be possible for both schemes to be implemented.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
21/10443 Garage in rear of garden (Retrospective)	09/06/2021	Granted Subject to Conditions	Decided

5 PLANNING POLICY AND GUIDANCE

National Planning Policy Framework (NPPF)

NPPF Para.131: The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

NPPF Para.135: "Achieving well designed places" requires development to be sympathetic to local character and history, including the surrounding built environment and landscape setting and establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

Local Plan 2016-2036 Part 1: Planning Strategy

Policy ENV3: Design quality and local distinctiveness

Plan Policy Designations

Built-up Area

6 PARISH / TOWN COUNCIL COMMENTS

Fawley Parish Council:

We recommend permission with the proviso that this building should not be used for commercial use.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

No comments received

9 REPRESENTATIONS RECEIVED

2 letters of objection and 1 of support received:

Objections - 5 & 6 Ivor Close

- Loss of privacy
- Overshadowing due to height and size

Support - 8 Ivor Close

- The proposal would be a good structure and would not obstruct their property

10 PLANNING ASSESSMENT

Principle of Development

The proposal is located within the built-up area of Holbury where there is a presumption in favour of sustainable development, subject to material considerations. In this case, there is a particular need to assess the proposal against the design and amenity related provisions of Policy ENV3 of the Local Plan Part 1.

History

A previous planning permission for a partly retrospective detached outbuilding was approved in 2021 (Ref: 21/10443). This development, which had commenced in the form of a metal frame structure, has not been completed, and the frame remains within the rear garden. The design of this previous scheme was for a flat-roofed outbuilding to a height of 3.2 metres.

Street scene and local character

The National Planning Policy Framework (NPPF) requires new development to be well designed. Good design is a key aspect of sustainable development, creating better places in which to live and work (paragraph 131). The NPPF is clear that development that is not well designed should be refused (paragraph 139).

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.

Within the immediate vicinity of the application site, there are similarly styled properties, with many benefiting from detached outbuildings within the rear garden; however, these outbuildings are modest in height, and many are finished with traditional pitched roof designs and therefore appear sympathetic to their host dwellings in terms of scale and design.

The proposed outbuilding would be positioned within the rear garden of number 7 and would be used as a home gym at ground floor and would include a first floor mezzanine floor to be used as a home office. The outbuilding would have a height of 4.98 metres and would incorporate a heavily glazed gable to the front, which would give emphasis to the building's upper storey and overall scale. The building would also have an uncharacteristic flat topped roof which has resulted from a design solution specifically in attempt to reduce the overall height. However, rather than mitigating the building's scale, this cropping of the roof in such a contrived manner, serves simply to emphasise the building's discordant design.

The height of the main bungalow is 5.6 metres, and therefore the proposed outbuilding, with its obvious upper storey, would lack subservience and appear out of scale with the main single-storey dwelling. With its awkward roof design - a pitched roof up to a large flat-roofed area - along with the amount of glazing on the front elevation, the building's design would appear contrived and out of keeping in this location. This awkwardness would be further emphasised by the different proportions of the ground floor and upper floor windows, which would lack cohesion.

With its height and large footprint, the mass and bulk of the resulting building, which would be clearly visible from the road to the front of the property, would be unsympathetic to its environment and would fail to respect the local character of the close.

The materials to be used for the exterior of the outbuilding would be a brick plinth with metal sheet cladding on the walls, along with a concrete tiled roof. The use of these materials would appear acceptable for a structure to the rear of the property. However, to ensure an acceptable appearance of the resulting building, a condition requiring approval of materials would be appropriate if the application were otherwise acceptable.

Overall, for the reasons set out above, the proposed outbuilding would be a poor design that would be unduly dominant in this setting, with a harmful impact on the local area. Therefore, the proposal would not appear sympathetic to its environment or enhance the character of the close and, as such, would not comply with policy ENV3 of the Local Plan Part 1.

Use of the outbuilding

Fawley Parish Council have commented that the outbuilding should not be used for commercial use. The plans and application form indicate that the proposed outbuilding is to be used as a home gym and home office. Whilst there is also a bathroom and kitchen shown at ground floor, this does not create a fully self-contained unit but would be considered to be ancillary to the main dwelling house as part of the main residential use. The use of the proposed outbuilding as a separate, self-contained unit for holiday lets, rental or other commercial use would require planning permission in its own right.

Residential amenity

Policy ENV3 states that new development will be required to avoid unacceptable effects by reason of visual intrusion or overbearing impact, overlooking, shading, noise and light pollution or other adverse impacts on residential amenity.

The neighbouring property at number 6 Ivor Close has objected to the proposal for the reasons of overlooking and overshadowing due to the height and size of the outbuilding.

The neighbour at number 6 has glazed patio doors on the rear elevation of their property, serving their lounge which is located close to the shared boundary with number 7. They also have a fully glazed conservatory to the rear. The front of the proposed outbuilding would include a large area of glazing at first floor, which would be clearly seen from number 6 and its rear garden.

Whilst the internal mezzanine floor within the proposed outbuilding is shown on the plans as to be set back from the front glazing, there would, from the rear aspect of 6 Ivor Close, be a strong perception of being overlooked, given the large area of glazing proposed at this high level. These impacts are considered to result in a level of harm to the amenities of the occupants of 6 Ivor Close that would justify a refusal of planning permission.

The proposed outbuilding would have an eaves height of 2.5 metres and have a roof pitched away from the shared boundary with number 6. The distance from the shared boundary would be 1.5 metres; and then a further 2.2 metres to the ridge. This neighbouring property does have a seating area adjacent to the east boundary close to the proposed outbuilding. Given the height of the proposal, the built form would be visible from the rear of the neighbouring property and their garden amenity space. Whilst this would have some impact on the outlook from 6 Ivor Close, the impact is not considered to be materially harmful due to the level of separation and the relatively low eaves proposed. More generally, the outbuilding would be

positioned within the northern end of the garden, and whilst there would be some loss of light early in the morning to some parts of this neighbour's garden, this would only be a proportion of the day when the sun is low. Therefore, there would not be a significant adverse impact on this neighbour's amenity from additional shading.

A further objection was received from the neighbour at number 5 Ivor Close in terms of loss of privacy. The proposed rooflights facing number 5 & 6 on the west roof slope are close to the shared boundary with number 6 and would allow views into this neighbour's rear garden. The submitted section plan shows that the bottom of the proposed rooflights would be 863mm above the floor level and therefore views could be obtained to the garden area with the rooflights open or closed. If granted planning permission, a condition could be added to any approval for these rooflights to be obscure glazed and fixed shut so that they would not cause any overlooking. The rooflights on the east roof slope would result in some views to the rear garden of number 8 Ivor Close, where there is a swimming pool. There is a distance of 15 metres from these proposed rooflights to the boundary which is defined in part by a low wall. Given that there is a swimming pool in the neighbour's rear garden and given the low boundary treatments, a restrictive condition in respect of the rooflights being obscure glazed and fixed shut would be justified if the scheme were otherwise acceptable.

The neighbour to the rear, 5 Southbourne Avenue, shares a rear boundary with the application site. The proposed development would introduce a high gable which would be positioned to the south of their garden. However, as the outbuilding would be set away from the shared boundary, which consists of high fir trees, there would not be an unacceptable impact on this neighbour's amenity.

Overall, as detailed above, the proposed outbuilding would have a harmful impact on the privacy of the neighbouring property at 6 Ivor Close in terms of a perception of being overlooked from the large glazed frontage. Policy ENV3 of the Local Plan Part 1 seeks to avoid unacceptable affects on neighbour amenity which includes overlooking. Therefore, the proposal would not comply with this Policy.

11 OTHER MATTERS

None

12 CONCLUSION / PLANNING BALANCE

The proposed development would not comply with the design advice within the NPPF and Policy ENV3 of the Local Plan Part 1, as the proposed outbuilding, because of its height, mass and incongruous design, would be out of scale with the main bungalow to which it relates and out of keeping in this location. Therefore, the proposal would not contribute positively to local character, It would also have an adverse impact on neighbour amenity in terms of perceived overlooking.

To conclude, the proposed outbuilding would result in an unacceptable form of development that would be contrary to th National Planning Policy Framework and local planning policy, and therefore the application is recommended for refusal.

13 RECOMMENDATION

Refuse

Reason(s) for Refusal:

1. The proposed outbuilding, by reason of its scale and mass, along with its contrived and awkward roof form with prominent and poorly proportioned glazed front gable, would appear an incongruous design in this location and out of scale with the host property and other adjacent properties. As such, the proposal would appear unsympathetic to its environment and detrimental to the locally distinctive character of Ivor Close, contrary to Policy ENV3 of the New Forest District Local Plan Part 1: Planning Strategy for the New Forest outside of the National Park.
2. The proposed outbuilding due to its position close to the neighbouring property at number 6 Ivor Close, along with the large expanse of glazing on the front gable, would result in a harmful perception of overlooking of the neighbouring property, resulting in an unacceptable affect on the amenity of its occupants. As such, the proposal would be contrary to Policy ENV3 of the New Forest District Local Plan Part 1: Planning Strategy for the New Forest outside of the National Park.

Further Information:

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PLANNING COMMITTEE

December 2024

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Scale 1:500

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

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