

Application Number: 19/10539 Full Planning Permission

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

1 SUMMARY OF THE MAIN ISSUES

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

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

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

2 THE SITE

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

3 THE PROPOSED DEVELOPMENT

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

4 PLANNING HISTORY

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

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

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

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

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

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

5 THE DEVELOPMENT PLAN AND OTHER NFDC GUIDANCE

Core Strategy

CS1: Sustainable development principles

CS2: Design quality

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

CS6: Flood Risk

CS10: The spatial strategy

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

Local Plan Part 2 Sites and Development Management Development Plan Document

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

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

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

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

Supplementary Planning Guidance

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

6 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

National Planning Policy Framework

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

7 PARISH / TOWN COUNCIL COMMENTS

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

8 COUNCILLOR COMMENTS

No comments received

9 CONSULTEE COMMENTS

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

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

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

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

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

Waste Management - no objection

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

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

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

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

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

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

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

Southern Gas Networks - give informatives

ESP Utilities - no objections

10 REPRESENTATIONS RECEIVED

None

11 OFFICER COMMENTS

Introduction

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

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

Relevant Considerations

Impact upon the character of the area and heritage assets

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

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

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

Impact upon adjoining amenity

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

Highway Impacts

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

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

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

Tree Impacts

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

Flood Risk

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

12 CONCLUSION ON THE PLANNING BALANCE

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

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

13 OTHER CONSIDERATIONS

Crime and Disorder

None

Local Finance

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

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

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

Human Rights

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

Equality

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

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

Housing Need

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

Habitat Mitigation

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

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

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

14. RECOMMENDATION

Refuse

Reason(s) for Refusal:

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

Notes for inclusion on certificate:

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

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

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

Further Information:

Jim Bennett

Telephone: 023 8028 5588



New Forest DISTRICT COUNCIL

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

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

PLANNING COMMITTEE

August 2019

Item No: 3a

1-3

Provost Street
Fordingbridge
19/10539

Scale 1:1250

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

