

Application Number: 15/10831 Listed Building Alteration

Site: 43a SALISBURY STREET, FORDINGBRIDGE SP6 1AB

Development: Stud walls & doors (Application for Listed Building Consent)

Applicant: Gullivers Osteopathy

Target Date: 29/07/2015

1 REASON FOR COMMITTEE CONSIDERATION

Contrary to Town Council View

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Listed building

Conservation Area

Town Centre

Secondary Shopping Frontage

3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Core Strategy

Objectives

1. Special qualities, local distinctiveness and a high quality living environment
4. Economy

Policies

Core Strategy

CS2: Design quality

CS10: The spatial strategy

CS20: Town, district, village and local centres

Local Plan Part 2 Sites and Development Management Development Plan Document

DM15: Secondary shopping frontages

DM1: Heritage and Conservation

4 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Section 38 Development Plan

Planning and Compulsory Purchase Act 2004

National Planning Policy Framework

5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS

None relevant

6 RELEVANT PLANNING HISTORY

- 6.1 Single storey rear extension, create front door, internal alterations to ground floor and shop layout, re-open doorway near to cellar (10373) Granted with conditions on the 28th May 2013
- 6.2 Single storey rear extension, create front door, internal alterations, new doorway (10374) Granted with conditions on the 28th May 2013
- 6.3 Shopfront (11201) Granted with conditions on the 21st Nov 2013
- 6.4 Use of part of ground floor as osteopathy clinic (Use Class D1) granted with conditions on 22nd July 2015 (15/10830).

7 PARISH / TOWN COUNCIL COMMENTS

Fordingbridge Town Council: Recommend permission. As the works are necessary to enable the accompanying change of use and would not harm the character of the existing building

8 COUNCILLOR COMMENTS

None

9 CONSULTEE COMMENTS

- 9.1 Conservation Officer: Recommend refusal. The proposed internal alterations would have a harmful impact on the character of the listed building

10 REPRESENTATIONS RECEIVED

None

11 CRIME & DISORDER IMPLICATIONS

No relevant considerations

12 LOCAL FINANCE CONSIDERATIONS

Local financial considerations are not material to the decision on this application

13 WORKING WITH THE APPLICANT/AGENT

In accordance with paragraphs 186 and 187 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 take 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.

This is achieved by

- Strongly encouraging those proposing development to use the very thorough pre application advice service the Council provides.
- Working together with applicants/agents to ensure planning applications are registered as expeditiously as possible.
- Advising agents/applicants early on in the processing of an application (through the release of a Parish Briefing Note) as to the key issues relevant to the application.
- Updating applicants/agents of issues that arise in the processing of their applications through the availability of comments received on the web or by direct contact when relevant.
- Working together with applicants/agents to closely manage the planning application process to allow an opportunity to negotiate and accept amendments on applications (particularly those that best support the Core Strategy Objectives) when this can be done without compromising government performance requirements.
- Advising applicants/agents as soon as possible as to concerns that cannot be dealt with during the processing of an application allowing for a timely withdrawal and re-submission or decision based on the scheme as originally submitted if this is what the applicant/agent requires.
- When necessary discussing with applicants/agents proposed conditions especially those that would restrict the use of commercial properties or land when this can be done without compromising government performance requirements.

The applicant's agent was advised that the proposal would not be supported. The Conservation Officer has discussed with the agent whether having one permanent partition and a moveable screen on the other side of the ground floor space would be acceptable to the applicant, which would allay concerns surrounding the permanent nature of some the walling. However, this has been found to be an unacceptable solution as it does not fit with the needs of the business.

14 ASSESSMENT

- 14.1 The site comprises a Grade II Listed Building standing at the end of a terrace fronting onto a main highway which passes through the town centre of Fordingbridge, in the Conservation Area. The property is a three bay, two and a half storey dwelling of probably late C18 origin. The building has been subject to considerable intervention including the alteration of the ground floor to create a retail space. Immediately adjacent to the site, to the south-west, is a church, and on the north-east side are residential properties at 45A, 45B and 45C Salisbury Street, which are listed buildings and have their front elevations facing the application site.
- 14.2 The ground floor premises is currently vacant but was previously used as a shop and has an internal floor area of 33 square metres. A separate planning application has been approved for the change of use to an osteopathy clinic (Use Class D1) under application reference number 10830.
- 14.3 This listed building application proposes to use part of the existing ground floor shop (Use Class A1) as an osteopathy clinic (Use Class D1). Listed Building Consent is requested for new stud walls and doors to be fixed to the existing building fabric. The internal layout would entail two treatment rooms and reception area with a utility area to the rear.

- 14.4 The building has been greatly altered under previous planning and listed building applications and is now much improved. The main retail space on the ground floor, however, has not changed and retains the open feel expected from this sort of unit. The exterior of the building is recessed from the main street front.
- 14.5 The proposal is seeking the insertion of 2 stud partition walls which would be attached to the main structure of the building but not the new suspended ceiling. The Conservation Officer considers that the main issue is the subdivision of an historic open plan retail space into three small spaces and the effect that would have on the character of the Listed Building from both the interior and the exterior. The two partition walls would start either side of the main entrance door which would result in a particularly narrow waiting area with a tunnel effect to the staff area and kitchen, and the loss of the open plan feel. It also materially changes the character of the Listed Building.
- 14.6 While the new partition walls would be plasterboard and screwed to the walls which would cause little damage to the materials of the historic structure, the Conservation Officer's main concern in this case is the loss of an open retail space and the ability to read the historic structure of the building if the new walls are erected. The placement of two essentially permanent walls creating three small spaces would have an effect on the character of the listed building through the alteration of its plan form.
- 14.7 Accordingly, the proposal would have a negative impact upon the character of the Listed Building both in the short term with the tunnelling effect produced from the insertion of two stud partition walls, and in the long term from the permanent loss of open plan retail space in this Listed Building.
- 14.8 The Conservation Officer has discussed with the agent whether having one permanent partition and a moveable screen on the other side of the ground floor space would be acceptable to the applicant which would allay concerns surrounding the permanent nature of some the walling. However, this has been found to be an unacceptable solution as it would not fit with the needs of the business.
- 14.9 In conclusion, while Officers sympathise with the applicants wish to find suitable premises, and has looked at ways of accommodating the space for the applicant, no solution has been found that would not impact on the fabric of the listed building. Accordingly, the proposed insertion of two permanent partitions would result in the loss of a historic open plan appearance creating an arrangement of small internal spaces within the front part of the building that would have an adverse and negative impact on the character and integrity of both the interior and exterior of the Listed Building.
- 14.10 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.

15. RECOMMENDATION

REFUSE LISTED BUILDING CONSENT

Reason(s) for Refusal:

1. The proposed insertion of two permanent partitions would result in the loss of a historic open plan appearance creating an arrangement of small internal spaces within the front part of the building that would have an adverse and negative impact on the character and integrity of both the interior and exterior of the Listed Building. As such, the proposed works would impact adversely on the historic character and architectural interest of the Listed Buildings, contrary to Policy CS3 of the Core Strategy for New Forest District outside of the National Park and Policy DM1 of the Local Plan part 2: Sites and Development Management.

Notes for inclusion on certificate:

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The applicant's agent was advised that the proposal would not be supported. The Conservation Officer discussed with the agent whether having one permanent partition and a moveable screen on the other side of the ground floor space would be acceptable to the applicant which would allay concerns surrounding the permanent nature of some the walling. However, this was not found to be an acceptable solution as it would not fit with the needs of the business.

Further Information:

Major Team
Telephone: 023 8028 5345 (Option 1)



New Forest
DISTRICT COUNCIL

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

Chris Elliott
Head of Planning & Transportation
New Forest District Council
Appletree Court
Lyndhurst
SO43 7PA

**Planning Development
Control Committee
August 2015**

Item No: 3e

43a
Salisbury Street
Fordingbridge
15/10831
SU1414

Scale 1:1250

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

