

Application Number: 20/11439 Full Planning Permission

Site: 47-49 HIGH STREET, FORDINGBRIDGE SP6 1AS

Development: Extension and alterations to an existing shop and 5 bedroom flat to form a shop at ground floor level and 4x flats (1x 1-bed, 2x 2-bed, 1x 3-bed), with associated external alterations.

Applicant: ADS Surveys Ltd

Agent: Atlas Planning Group

Target Date: 06/04/2021

Case Officer: Jim Bennett

Extension Date: 13/05/2021

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

1. Impact on vitality and viability of town centre and on the local delivery of services, including local shops and pubs;
2. Impact on the character and appearance of the area, including Fordingbridge Conservation Area and the Listed Building
3. Impact on residential amenity of adjacent neighbouring properties, in respect of noise, light, visual intrusion and privacy
4. Flood Risk and Drainage
5. Impact on highway safety, including matters relevant to car parking;
6. Impact on ecology and in particular protected species;
7. Habitat Mitigation

This application is to be considered by Committee as the recommendation is contrary to the reasons for refusal offered by Fordingbridge Town Council.

2 SITE DESCRIPTION

The site lies within the built-up area of Fordingbridge and is within the Fordingbridge Conservation Area. The Site, Number 47-49 High Street is a grade II listed, two storey building with shop to the ground floor. The building dates from the early 18th century, and was altered in the 19th century, along with a two-storey flat roof extension to the rear. The listed building is situated prominently within the Fordingbridge Conservation Area on the High Street, within the Primary Retail Frontage. The ground floor of the premises was formerly occupied by Martins for retail purposes and the first and second floors occupied as a self-contained 5 bedroom flat.

3 PROPOSED DEVELOPMENT

The application is made for conversion of approximately 40% of the ground floor to residential, the remainder of the ground floor retained for retail purposes. Extensions and alterations are also proposed to provide a total of 4 no. flats on the site. The extension would be a two-storey structure, projecting south of the existing

building, of contemporary form and materials. A pitched roof would be added to the existing two storey, flat roofed structure to the rear. No car parking provision is made on site.

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
20/11440 - Extension and alterations to an existing shop and 5 bedroom flat to form a shop at ground floor level and 4x flats (1x 1-bed, 2x 2-bed, 1x 3-bed), with associated external alterations (Application for Listed Building Consent)	See item 2b		
05/83638 - Flood defences	17/05/2005	Granted	Decided

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy ENV1: Mitigating the impacts of development on International Nature Conservation sites

Policy ENV3 - Design quality and local distinctiveness

Policy ECON5: Retail development and other main town centre uses

Policy ECON6: Primary, secondary and local shopping frontages

Policy IMPL1: Developer Contributions

Policy IMPL2: Development standards

Local Plan Part 2: Sites and Development Management 2014

DM1: Heritage and Conservation

DM2: Nature conservation, biodiversity and geodiversity

Relevant Advice

NPPF Chap 6: Building a strong competitive economy

NPPF Chap 6: Ensuring the vitality of town centres

NPPF Chap 11: Making effective use of land

NPPF Chap 12: Achieving well designed places

NPPF Chap 14: Meeting the challenge of climate change and flooding

Plan Policy Designations and Constraints

Flood Zones

Built-up Area

Landscape Feature

Town Centre Boundary

Primary Shopping Area

Local Shopping Frontage

Avon Catchment

Fordingbridge Conservation Area

Listed Building Grade: Grade II 552.16.045

Supplementary Planning Guidance And Documents

SPD - Parking Standards
Fordingbridge Conservation Area Appraisal
SPD - Fordingbridge Town Design Statement

6 PARISH / TOWN COUNCIL COMMENTS

Fordingbridge Town Council - recommend refusal under PAR4 because of the loss of retail space, the effect on neighbouring properties, the issues with car parking and the concerns raised by the conservation officer.

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

Environmental Design Team (Conservation) - The proposed works to the ground floor would be a benefit to the significance of the listed building as it would reinstate a sense of division, more common in historic buildings, and would help to divide up the space. No objections to the proposed works at first and second floor level.

Concern is raised over an additional roof light on the front elevation when there is already an existing roof light and the simple roof slope would start to appear cluttered. No details have been provided to demonstrate whether the roof light can be installed without the loss of historic fabric. There is a lack of detail on services proposed and their route through the building, there are no details on proposed ducts, vents, flue, fire proofing measures and sound attenuation requirements. It is important that these do not impact upon the fabric or significance of the listed building. Repair schedules and method statements for the fabric and structure of the listed building are also required.

The proposal for the additional walls on the ground and first floor are not considered to have a harmful impact upon the significance of the listed building in terms of loss to historic fabric and there would be a reinstatement of a plan form, which has been lost. However, the proposed units of accommodation as well as the shop unit would result in a more intensive use for the listed building. More bathrooms and kitchens are proposed, which results in more services. Fire regulations and sound attenuation would be required. It is therefore important to understand whether the proposal to sub-divide the listed building, in relation to the number of residential units, is the optimum viable use for the heritage asset as laid out in the NPPF.

The proposal for a pitched roof to replace the existing flat roof is acceptable. A pitched roof is a more traditional design and would help to soften the appearance of the flat roof. The design and form of the windows are clearly modern in appearance. However, these still need to be traditionally designed and detailed. The top light opening windows are unacceptable and we would need to see joinery details to comment further on the windows and doors.

The proposed rear extension to create Apartment 4 would be two storeys in height and located to the rear of the listed building. The listed building has already been extended and any further extensions are not supported. The listed building would appear over-extended to the rear and overwhelmed by extensions. The rear extension for Apartment 4 would be awkwardly located, appearing incongruous.

It is considered that the proposal would lead to less than substantial harm to the significance of the designated heritage asset. The NPPF advises that such harm is to be weighed against the public benefits of a proposal, including securing its optimum viable use. However, great weight should be given to the asset's conservation. The character and appearance of the conservation area would not be preserved or enhanced. The proposal would therefore conflict with the Act, the NPPF and local planning policies.

Environmental Health Section (Pollution) - No objections, subject to a construction management condition. The proposed refuse area is in close proximity to a proposed residential dwelling so it would be advised to house these receptacles accordingly to reduce the impact of noise and odour on the residential dwellings

Wessex Water - No objections, but give informatives

Historic England - No comments on this planning application, but have logged the associated Listed Building Consent Application which will be passed to our Inspector of Historic Buildings and Areas for consideration.

Waste Management (NFDC) - Consideration needs to be given for adequate waste & recycling storage, as well as the siting of a bin/sack collection area with easy and close access to the high street.

Council Ecologist - The application site lies within the Hampshire Avon Catchment where there are issues in relation to the provision of additional overnight accommodation and phosphates from wastewater. The Interim Phosphates Calculator has been completed and shows that the development would result in a phosphate surplus of 0.37 kg per year, as such mitigation is required to demonstrate nutrient neutrality. The Eclipse Ecology bat survey report identifies the need for financial contributions towards the provision of recreational mitigation measures as set out in Policy ENV1.

The bat survey report identifies that the buildings have negligible potential to support roosting bats. The assessment has been made by a licenced bat ecologist. The overgrown rear garden is assessed as having potential to support low numbers of common reptile species, namely slow worm. No objections to the proposed development, subject to securing the avoidance and mitigation measures detailed in Section 7 of the report. These relate to the precautionary methods of working with respect to bats and reptiles and best practice works covering up large excavations at night to avoid entrapment of animals such as hedgehog. These should be secured via condition with evidence (letter report from the ecologist) being submitted as evidence on completion of works.

The bat survey report is in draft – with queries remaining in the report surrounding the amount of habitat retention to the rear and no recommendations have been made with regard to ecological enhancements in line with the requirements of the Local Plan and NPPF. It is suggested that 3 swift boxes are provided.

9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received.

- The PDA statement advises that the existing garden space will allow occupiers to enjoy communal garden space, but the plans do not show how far this communal garden space is to extend.

- A soakaway is to be utilised for surface water drainage, it is not shown where this will be sited and what effect this will have on neighbouring properties considering that when the River Avon bursts its banks, the floodwater extends into the bottom of the garden.
- The applicant relies on the District Council having only delivered 43% of the housing required in the three years to 2019 and that planning approval should be granted. However, after NFDC adopted the Local Plan 2016-2036, the Housing Delivery Test for the period 2016/17 - 2018/19 was re-calculated. NFDC achieved a score of 108%, so there should be no longer a presumption in favour of the development and planning approval.
- The PDA statement refers to there being no windows to the side elevation of the properties at 45 High Street, however 1 River Mews (the end, lowermost house) has windows into the kitchen and living area along this elevation and there would be a loss of sunlight, daylight, a loss of privacy and a huge impact on outlook. It is also believed that the rooflights at first floor level will be affected negatively by the proposals.
- The rooflights to the bedrooms of apartment 3 overlooking the High Street are shown wider on the floor plans than the elevation.
- The development does not have any vehicular access for occupants upon completion or during the construction period.
- The bin store is been positioned across the kitchen window of 1 River Mews and would prohibit opening of this window.
- Construction of the development and its subsequent occupation will lead to noise and disturbance to neighbouring properties.
- A balustrade or rail is to be fixed to our external wall, which has no cavity and damp ingress is a problem.
- The biodiversity planting against our solid external wall will cause damp.
- Out of character with its surroundings, including streetscene and landscape
- Apartment 4 is not an apartment but a house, the addition of which would impact on the density of building and construction in this location.
- The proposal is unsympathetic to neighbouring properties in terms of layout, scale, height, appearance, density and landscaping:
- This is not a highly sustainable location for residential development: there is pedestrian access only; there are no planned infrastructure improvements envisioned within the locality to highways, schools and healthcare provision.
- This development fails to support or consolidate local services in Fordingbridge.
- More rubbish will attract vermin that is already a problem

For: 0

Against: 2

10 PLANNING ASSESSMENT

Principle of Development

The application site lies within Fordingbridge's built-up area, where there is a presumption in favour of new housing. However, the site was formerly in commercial use within a Primary Shopping Frontage. The benefits of the proposal in terms of new housing provision must be weighed against the potential harm caused, which is examined in the following sections, at the end of which a conclusion on the planning balance is reached.

Impact on vitality and viability of town centre and on the local delivery of services, including local shops and pubs

Policy ECON05 places emphasis on retaining a good range of Main Town Centre Uses, where complementary to the retail function and would enhance the overall vitality of the centre. Residential development is not defined as a Main Town Centre Use within a Primary Shopping Frontage.

Policy ECON06 states that within the designated Primary Shopping Frontages, proposals for the change of use of ground floor shops (Class A1) and financial and professional services premises (Class A2) to other uses that require planning permission or are subject to Prior Approval, 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.

The emphasis of these policies is to ensure that the commercial vitality and function of local shopping frontages is retained and where appropriate enhanced. The proposal would result in the partial loss (approximately 40%) of a ground floor commercial unit and would result in a much more significant loss of the retail floorspace. Retail floorspace would be limited to a very small area to the front of the unit, constituting a significant reduction when compared to the amount of retail space currently available. While the buildings are currently vacant, they are within the defined primary shopping frontage and offer premises which could attract a wide range of appropriate Main Town Centre Uses. While modest loss of retail floorspace might be acceptable, to facilitate a residential development, such a significant loss is not supported. A presumption is placed against the loss of commercial premises in Primary Frontages, except where it can be demonstrated that an alternative use would be complementary to the retailing function and would enhance the overall vitality of the centre. Residential development to the extent proposed would not be complimentary.

Overall, it is felt that what is proposed would unacceptably compromise the vitality and viability of the Primary Shopping Frontage and Area. Furthermore, insufficient justification has been submitted with the application to demonstrate that the premises are unviable in their existing use. The proposed development would result in the inappropriate introduction of ground floor residential use within Fordingbridge's Primary Shopping Frontage, that would unacceptably compromise the future viability and vitality of the area. As such, the proposal would be contrary to Policies ECON05 and ECON06 of the Local Plan Part 1.

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

The impact of the proposal on the character and appearance of the Fordingbridge Conservation Area, listed building and the public realm need to be considered under the provisions of Policies ENV3 and DM1. There is a duty imposed by Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring decision makers 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. Section 72(1) also requires special regard to be paid to preserving or enhancing the character or appearance of a conservation area. The National Planning Policy Framework 2019 (NPPF) makes clear 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.

While the level of retail floor space lost would be contrary to retail policies, the proposed works to the ground floor would be a benefit to the significance of the listed building as it would reinstate a sense of division, more common in historic buildings, and would help to divide up the space. There are no alterations to the plan form within the historic part of the listed building at first and second floor levels and the subdivision of the modern rear extension would not have an impact upon the significance of the listed building.

Concern is raised by the Conservation Team over an additional roof light on the front elevation when there is already an existing roof light and the simple roof slope would start to appear cluttered. An option of having the roof light to the rear should be explored as an alternative solution, subject to historic fabric not being lost. No details have been provided to demonstrate whether the roof light can be installed without the loss of historic fabric. Further concerns are raised by the Conservation Team and Historic England over the lack of detail on joinery, repairs and services proposed for the building. These matters are considered as part of the associated Listed Building Consent application

The proposed rear extension to create Apartment 4 would be two storeys in height and located to the rear of the listed building, running along the boundary to Number 51. It would be linked to the listed building by the existing single storey rear element, and due to its proposed location in relation to other rear extensions, there would be walkway leading alongside the staff room/WC extension, and then at an approximate right angle to the side of Apartment 4. The listed building has already been extended in the past with sizeable extensions to the rear. It is considered that the proposal to further extend by way of a two-storey extension would dominate the listed building. The listed building has already been significantly extended and any further extensions are not supported by the Conservation Team, they would appear over-extended to the rear, incongruous and would overwhelm the principle building. Furthermore, the proposed level of accommodation, in addition to the shop unit would result in a more intensive use for the listed building and result in an overdeveloped form of development on this site.

As a result, it is considered that the proposal would lead to less than substantial harm to the significance of the designated heritage asset. The NPPF advises that such harm is to be weighed against the public benefits of a proposal, including securing its optimum viable use. However, great weight should be given to the asset's conservation. The character and appearance of the conservation area would not be preserved or enhanced. The proposal would therefore conflict with the Act, the NPPF and local planning policies.

The proposed development would cause less than substantial harm to the fabric and appearance of the listed building and fail to preserve or enhance the character and appearance of the Fordingbridge Conservation Area, by virtue of its design, mass, siting and appearance. The proposed development would be overdeveloped and dominated by a large and incongruous addition to the rear of the listed building, causing less than substantial harm to the fabric and appearance of the listed building, by virtue of its design, mass, siting and appearance. Furthermore, insufficient information has been submitted to establish the level of intervention required to the fabric of the listed building. Consequently, the proposal would be contrary to the provisions of Policy DM1 of the Local Plan Part 2 (Sites and Development Management DPD) 2014, Policy ENV3 of the NFDC Local Plan Part 1 2016-2036 and Paragraph 192 of the NPPF.

Impact on residential amenity of adjacent neighbouring properties, in respect of noise, light, visual intrusion and privacy

Policy ENV3 states that new development shall not have unacceptable impacts upon residential amenity of existing and future occupiers, in terms of visual intrusion, overbearing impact, overlooking, shading, noise or light pollution.

There are side windows in the properties at 45 High Street facing the development, but the fenestration arrangements of the proposal dictate that adjoining would not suffer any loss of privacy, as the facing windows could be obscure glazed to prevent overlooking. The siting and scale of the proposed main structures would not have any significant overbearing or adverse impact on neighbours. However, the proposed bin store is shown positioned very close to the kitchen and lounge windows of 1 River Mews, which would result in loss of light, noise and disturbance and may prohibit opening of these windows. The relationship of the bin store to the adjoining windows is unneighbourly at best and is symptomatic of the overdeveloped form of development sought here.

Concerns are raised that the fixture of a balustrade and planting against a party wall will cause damp ingress. Had the proposal been recommended for approval, the applicant would have been requested to clarify and amend this elements if necessary.

Comments of notified parties are concerned with the level of disruption caused by building works, particularly as the site is constrained by access and proximity to adjoining occupiers. Had permission been granted the submission of a construction environmental management plan could have been conditioned to ensure that the works would be undertaken to minimise disturbance of neighbours.

The premises has a substantial garden area leading down to the river and the application states that is would be made available communally. The amenity space afforded to the new dwellings would not be of such limited extent that would result in an unacceptable level of provision in respect of the living conditions of future occupiers given this town centre location.

The proposed change of use would have direct impacts upon adjoining occupiers in respect of noise, loss of light and ability to utilise existing windows contrary to Policy ENV3 of the Local Plan Part 1.

Impact on highway safety, including matters relevant to car parking

No off-street parking would be provided for the proposed dwellings, which would not meet with the Council's Parking Standards SPD recommended standard. However, as a proposal within a sustainable town centre location in close proximity to shops and public services and considering the modest size of units proposed, a reduced standard is acceptable in this instance and a refusal on the basis of a lack of parking cannot be substantiated albeit that the lack of off-street parking is a further symptom of the overdeveloped and intensive form of development sought here.

Flood Risk and Drainage

Part of the application site lies within Flood Zones 2 and 3, which is land defined by the Planning Practice Guidance for the National Planning Policy Framework (NPPF) for Flood Risk and Coastal Change as having a high and medium probability of flooding. However, the footprint of the existing and proposed buildings is well

beyond the indicative flood zones some 9m away to the south. Had the recommendation been one of approval, the applicant would have been requested to clarify more precisely how surface water drainage would be discharged and what affects it may have on neighbouring properties.

Impact on ecology and in particular protected species

As of 7th July 2020, the Council has sought to secure the achievement of Biodiversity Net Gain (BNG) as a requirement of planning permission for most forms of new development.

The bat survey report identifies that the buildings have negligible potential to support roosting bats. The Council's Ecologist raises no objections to the proposed development, subject to securing the avoidance and mitigation measures detailed in Section 7 of the report and additional biodiversity enhancements via condition.

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 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 was to mitigate that impact in accordance with the Council's Mitigation Strategy or mitigation to at least an equivalent effect. This matter could be secured by legal agreement (s.106 or unilateral undertaking) prior to issuing any decision notice. The applicant has been contacted with regard to securing the necessary habitat mitigation measures, via s.106 or unilateral undertaking, which has not been forthcoming. In the absence of a completed legal agreement, the application has failed to secure the requisite habitat mitigation, which must be introduced as a reason for refusal.

b) Air quality monitoring

The applicant has been contacted about securing the necessary air quality monitoring contribution, as required by Policy ENV1, via s.106 or unilateral undertaking. In the absence of a completed legal agreement, the application has failed to secure the requisite air quality monitoring contribution, which must be introduced as a reason for refusal.

c) Phosphate neutrality and impact on River Avon SAC

In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment was carried out as to whether granting planning permission would adversely affect the integrity of the River Avon European sites, in view of that site's conservation objectives having regard to phosphorous levels in the River Avon. However, Natural England have recently drawn attention to the fact that the submitted Appropriate Assessments (AA) rely on the delivery of the phosphate neutrality measures set out in the River Avon SAC – Phosphate Neutral Development Plan Interim Delivery Plan (Wood Environment & Infrastructure Solutions UK Limited – January 2019). The Interim Delivery Plan sets out mitigation measures for new development up to the end of March 2020, and thereafter relies on the delivery of the Wessex Water River Avon Outcome Delivery

Incentive (ODI), if fully in place. Natural England's view is that, as the initial Interim Delivery Plan period has now concluded, the submitted AAs should not simply be rolled forward, at least without a valid evidence-based justification that provides the required reasonable certainty for phosphate neutrality. They also note that circumstances are different from those of when the Interim Delivery Plan was first agreed because of external developments in caselaw, notably the Dutch case (Joined Cases C-293/17 and C-294/17 Coöperatie Mobilisatie for the Environment UA and Others v College van gedeputeerde staten van Limburg and Others).

With regard to current proposals Natural England agrees with the competent authority that the plan or project for new residential development, without mitigation, has a likely significant effect on the River Avon Special Area of Conservation (SAC). The site is also listed as a Ramsar site and notified at a national level as the River Avon System and River Avon Valley Sites of Special Scientific Interest (SSSIs). Listed Wetlands of International Importance under the Ramsar Convention (Ramsar) sites are protected as a matter of Government policy. Natural England considers that impacts of phosphates on the Ramsar interest features are likely to be similar to the impacts on the SAC. As the Council cannot now rely on the Interim Delivery Plan to address phosphate levels in the River Avon, a further reason for refusal must be introduced.

It is noted that the applicant has submitted a nitrogen budget calculation for the proposal and suggests use of the Grampian style condition typically used in the nitrate neutrality areas (the Solent). This application does not impact the Solent and the Grampian condition has not been adopted for the Avon Catchment, which is impacted by phosphate, rather than nitrate.

Other Matters

The District Council is content to rely on the level of housing provision proposed by the adopted the Local Plan 2016-2036, rather than rely on a housing development which is unacceptable for the reasons outlined above.

Had the Planning Authority been minded to approve this development, it would have been subject to CIL and other payments which would, in part, assist with the support and consolidation of local services.

The location of the bin store is unacceptable, as outlined above, but the possibility that the development would create more rubbish and attract vermin cannot substantiate a reason for refusal. An appropriately designed and sited bin store could resolve this issue.

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargeable Floorspace (sq/m)	Rate	Total
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Dwelling houses	277.94	207.62	70.32	70.32	£80/sqm	£7,205.10 *
Shops	68.82		68.82	68.82	No charge	£0.00 *

Subtotal:	£7,205.10
Relief:	£0.00
Total Payable:	£7,205.10

11 CONCLUSION

While benefits may be delivered by the form of development proposed in terms of housing provision and bringing a vacant building back into use, it is considered that those benefits are outweighed by the less than substantial harm caused to the fabric and appearance of the listed building, to the character and appearance of Fordingbridge Conservation Area, to the vitality and viability of Fordingbridge Town Centre, adjoining amenity and protected European habitats. The National Planning Policy Framework 2019 (NPPF) makes clear 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. Accordingly the proposal is recommended for refusal.

12 RECOMMENDATION

Refuse

Reason(s) for Refusal:

1. The proposed development would result in the inappropriate introduction of ground floor residential use within Fordingbridge's Primary Shopping Frontage, that would unacceptably compromise the commercial viability and vitality of the frontage and area. As such, the proposal would be contrary to Policies ECON05 and ECON06 of the Local Plan Part 1 - 2016-2036.
2. The proposed development would result in a large, overdominant and incongruous addition to the rear of the listed building, causing less than substantial harm to the fabric and appearance of the listed building and harm to the character and appearance of Fordingbridge Conservation Area, by virtue of its design, mass, siting and appearance. As such, the proposal would be contrary to the provisions of Policy DM1 of the Local Plan Part 2 (Sites and Development Management DPD) 2014, Policy ENV3 of the NFDC Local Plan Part 1 2016-2036 and Paragraph 192 of the NPPF.
3. The proposal would have direct impacts upon adjoining occupiers in respect of noise, loss of light and ability to utilise existing windows leading to a detrimental impact on their residential amenity and contrary to the amenity related provisions of Policy ENV3 of the NFDC Local Plan Part 1 Planning Strategy 2016-2036.
4. The recreational and air quality impacts of the proposed development on the New Forest Special Area of Conservation, the New Forest Special Protection Area and the New Forest Ramsar site, would not be adequately mitigated and the proposed development would therefore unacceptably increase recreational and air quality pressures on these sensitive European nature conservation sites, contrary to Policy ENV1 of the New Forest District Local Plan Part 1 and Policy DM2 of the Local Plan Part 2 Sites and Development Management Development Plan Document and the SPD - Mitigation Strategy for European Site.

5. To ensure that the proposal may proceed as sustainable development, there is a duty upon the local planning authority to ensure that sufficient mitigation is provided against any impacts which might arise upon the designated sites. The proposal will result in additional units of residential accommodation which will have an adverse impact through greater phosphates being discharged into the River Avon, thereby having an adverse impact on the integrity of the River Avon Special Area of Conservation (SAC), River Avon Ramsar site and River Avon System and River Avon Valley Sites of Special Scientific Interest (SSSIs). A precautionary approach is required to be adopted and in the absence of an Appropriate Assessment being carried out an adverse impact on the integrity of the SAC, Ramsar and SSSI cannot be ruled out. As such, the proposal does not accord with Regulation 63 of the Conservation of Species and Habitats Regulations 2017 in that at present there is no proof that the new dwellings will be phosphate neutral or that there is adequate mitigation in place. The proposal is therefore contrary to the provisions of the Conservation of Species and Habitats Regulations 2017 and Policy DM2 of the Local Plan Part 2 Sites and Development Management Development Plan Document.

Further Information:

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New Forest DISTRICT COUNCIL

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PLANNING COMMITTEE

May 2021

47-49 HIGH STREET
FORDINGBRIDGE SP6 1AS

20/11439

Scale 1:1250

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

