

Application Number: 21/11194 Full Planning Permission

Site: 2 PARK ROAD, FORDINGBRIDGE SP6 1EQ
Development: Erect 3 pairs of semi detached units (total of 6 properties);
associated parking and landscaping; demolish existing property
Applicant: Northshore Companies Ltd
Agent: Chapman Lily Planning Ltd
Target Date: 08/11/2021
Case Officer: Vivienne Baxter

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

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

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

2 SITE DESCRIPTION

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

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

3 PROPOSED DEVELOPMENT

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

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

4 PLANNING HISTORY

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

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

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

Local Plan Part 2: Sites and Development Management 2014

DM2: Nature conservation, biodiversity and geodiversity

Supplementary Planning Guidance And Documents

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

Relevant Legislation

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

Relevant Advice

Chap 12: Achieving well designed places

Constraints

SSSI IRZ Residential
 Aerodrome Safeguarding Zone
 Avon Catchment Area
 Meteorological Safeguarding

Plan Policy Designations

Built-up Area

6 PARISH / TOWN COUNCIL COMMENTS

Fordingbridge Town Council

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

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

Ecologist: no objection in principle but more information is required

HCC Highways: offer advice

Building Control: no adverse comments

9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received.

Against: 10

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

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

10 PLANNING ASSESSMENT

Principle of Development

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

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

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

Design

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

Site layout

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

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

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

Local character and appearance

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

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

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

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

Residential amenity

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

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

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

Highway safety, access and parking

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

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

Ecology/bio-diversity

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

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

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

Phosphate neutrality and impact on River Avon SAC

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

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

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

Habitat Mitigation

In accordance with the Conservation of Habitats and Species Regulations 2017 ('the Habitat Regulations') an Appropriate Assessment has been carried out as to whether granting permission would adversely affect the integrity of the New Forest and Solent Coast European sites, in view of that site's conservation objectives. The Assessment concludes that the proposed development would, in combination with other developments, have an adverse effect due to the recreational impacts on the European sites. Although the adverse impacts could be avoided if the applicant were to enter into a Section 106 legal agreement to secure a habitat mitigation contribution in accordance with the Council's Mitigation Strategy, no such legal agreement has been completed in this instance. As such, it is not possible, in respect of recreational impacts, to reach a conclusion that adverse effects on European sites would be avoided.

Developer Contributions

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

- Habitat Mitigation
- Air Quality Monitoring

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

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

11 CONCLUSION

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

12 OTHER CONSIDERATIONS

None

13 RECOMMENDATION

Refuse

Reason(s) for Refusal:

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

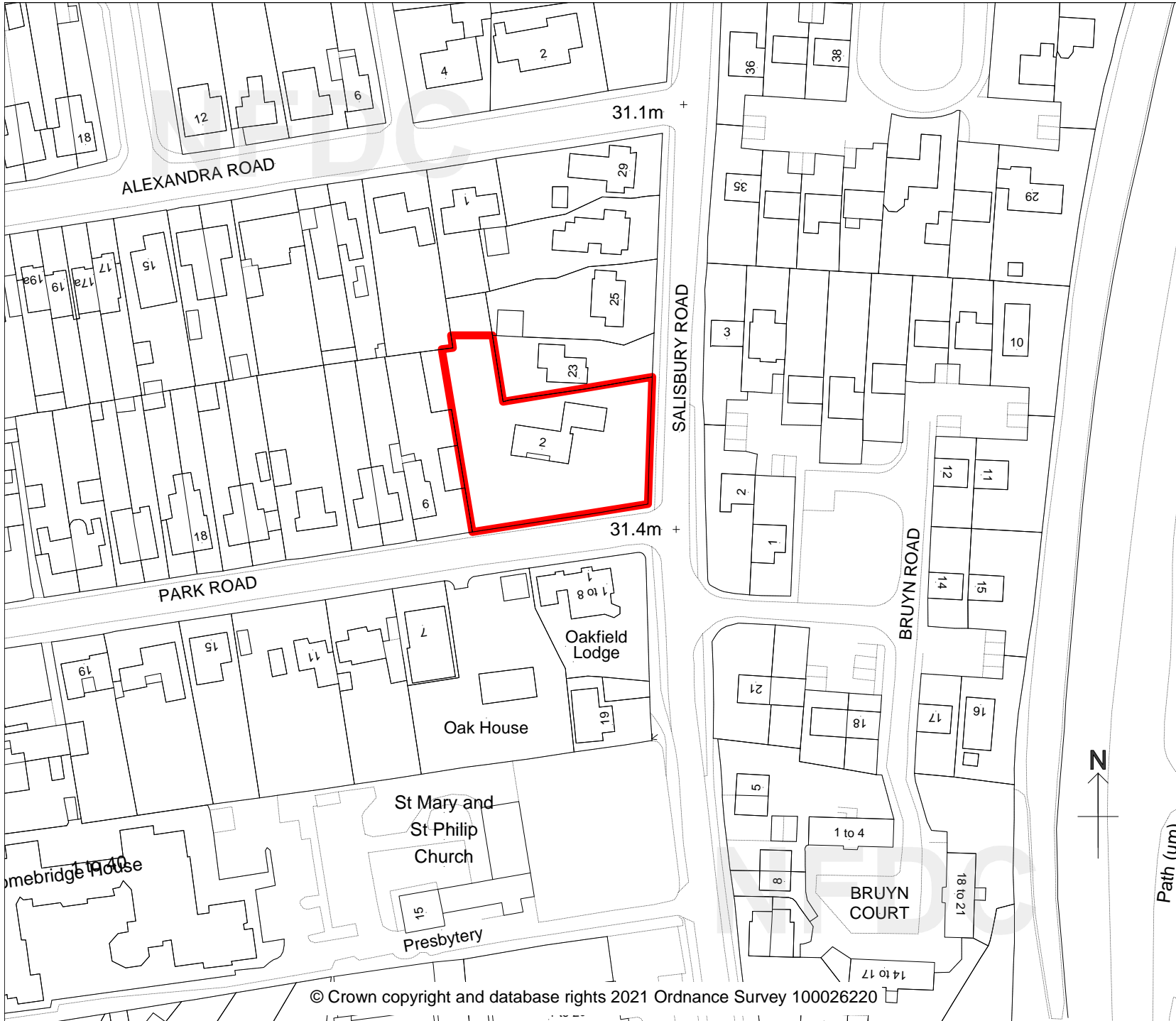
The proposal is therefore contrary to policy ENV3 of the Local Plan Part 1 as it is considered to be unsympathetic to its environment and context in terms of layout, spaces and landscape features.

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

Further Information:

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New Forest

DISTRICT COUNCIL

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PLANNING COMMITTEE

10 November 2021

2 Park Road
 Fordingbridge

21/11194



Path (um)

Scale 1250

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