

**Application Number: 22/10148** Full Planning Permission

**Site:** 2 PARK ROAD, FORDINGBRIDGE SP6 1EQ (NB: PROPOSED LEGAL AGREEMENT)

**Development:** 4 detached dwellings with associated garages/parking and landscaping

**Applicant:** Northshore Companies Ltd

**Agent:** Chapman Lily Planning Ltd

**Target Date:** 08/04/2022

**Case Officer:** Vivienne Baxter

**Extension Date:** 16/09/2022

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## **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 including parking
- 5) Ecology/bio-diversity

This application is to be considered by Committee because of a contrary Town Council view.

## **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 buildings on site and the provision of two pairs of semi-detached houses each comprising sitting room, WC, utility room and open plan kitchen, dining, living room at ground floor level with 4 bedrooms (2 en suite) and a family bathroom at first floor level. Each dwelling would benefit from a single garage in addition to at least two tandem parking spaces each. New accesses would be provided adjacent to 6 Park Road and 23, Salisbury Road and the existing access would be altered to provide a joint drive for plots 2 and 3.

## 4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
21/11194 Erect 3 pairs of semi detached units (total of 6 properties); associated parking and landscaping; demolish existing property	08/11/2021	Withdrawn by Applicant	Withdrawn
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

## 5 PLANNING POLICY AND GUIDANCE

### **Local Plan 2016-2036 Part 1: Planning Strategy**

Policy CCC2: Safe and sustainable travel

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

Policy ENV3: Design quality and local distinctiveness

Policy IMPL1: Developer Contributions

### **Local Plan Part 2: Sites and Development Management 2014**

### **Supplementary Planning Guidance And Documents**

SPD - Housing Design, Density and Character

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 it is an overdevelopment of the site and the application would further increase the problems with parking along Park Road.

## **Fordingbridge Town Council**

Recommend REFUSAL under PAR4 as it is an overdevelopment of the site and would cause issues with parking due to the additional number of vehicles associated with this application, the plans for tandem parking and the already busy parked roads.

### **7 COUNCILLOR COMMENTS**

No comments received

### **8 CONSULTEE COMMENTS**

Comments have been received from the following consultees:

**Ecologist:** no objection subject to compliance with report

**HCC Highways:** no objections in principle, advise of additional requirements

### **9 REPRESENTATIONS RECEIVED**

The following is a summary of the representations received to the initial submission.

- doesn't dress previous parking concerns
- overdevelopment
- profit led development
- road is already unsafe for children due to parking
- doesn't enhance the area
- loss of vegetation and wildlife
- negative impact on air quality and phosphate discharge
- overlooking to the north of the site
- adjoining garden has much wildlife including protected species
- garden should be preserved as a wildlife corridor
- Park Road is over parked by non residents
- additional access points will create additional hazards
- drives too narrow, garages won't be parked in
- flooding occurs at the opposite end of Park Road

Following amendments to the scheme, the following comments have been received:

- changes don't address parking problems
- area is already densely populated
- road isn't safe as lorries use it as a cut through
- excessive overdevelopment
- no consideration of visual impact for residents
- no turning space
- providing semi-detached instead of detached houses just makes the buildings bigger

For: 0

Against: 6 households

### **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 4 reflects its position on the corner of the site having a side bay window and entrance canopy. This level of detailing is welcomed.

#### *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. The proposal reflects this character with all dwellings being set back behind a small front garden area of at least 4.8m in depth. The front boundary is not detailed on the plans but this could be conditioned to ensure something contextually appropriate for Park Road. The dwellings would not have parking to their frontage but space is provided to the side of each property, in line with other drives in Park Road. The combined access provisions for plots 2 and 3 is not ideal although it is not considered sufficient to warrant refusal of the scheme for this reason alone.

#### *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 - much of it overgrown - behind this which provides a verdant setting for the existing dwelling. Whilst there are elements of the proposal which do not directly accord with other properties in Park Road, it is considered that two pairs of semi-detached houses work well on this plot which is presently a modern property completely at odds with the local area. The plot widths are comparable to others and the spacing between the proposed buildings is greater resulting in a more spacious character than elsewhere along Park Road.

### Residential amenity

The proposal includes first floor bedroom windows in the northern elevation to each dwelling and those relating to plots 3 and 4 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 13m from the proposed dwellings 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.

Plots 1 and 2 would be a little over 50m from the rear of 1, Alexander Road and although plot 2 would have the garden of 23, Salisbury Road immediately behind it, the 11m length of the proposed garden to plot 2 would ensure a good level of amenity is maintained for the adjoining property.

Having regard to the future amenity of occupants, plots 2 and 3 each have side windows which face the other. At first floor level, plot 2 has a bathroom window which would be obscure glazed. Downstairs, whilst ground floor windows do not

usually give rise to overlooking issues in view of the likely boundary separation, the layout of this scheme is such that there would not be any boundary definition between the parking areas resulting in the kitchen window for plot 3 being almost directly opposite the living area window for plot 2. Whilst both these windows are secondary windows, they would be 5.6m apart with a double width drive between them, it is considered appropriate to require obscure glazing in order to maintain a good level of amenity.

#### 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.

The application is supported with details of appropriate visibility splays for each access point and on this basis, the Highway Authority has not raised any objection to the proposal.

The recommended parking provision for 4 bedroomed houses is 3 spaces each where provided on plot. The application achieves this and in addition, the layout of plots 2 and 3 would enable further cars to be parked on the respective drives. Concern has been expressed about the lack of turning facilities for the new dwellings, In this respect, it is noted that the other dwellings along Park Road do not have any turning facilities either and the Highway Authority has not raised any issues about the inability to turn around on site. As such, it would be difficult to warrant refusal for the application for this reason.

#### Ecology, On Site Biodiversity and protected species

The application has been supported with an ecological assessment which found no evidence of protected species on site although it has potential for nesting birds and as a foraging habitat for bats. In order to protect these habitats and others, the report recommends a variety of measures including site clearance outside of the nesting season, minimal external lighting, provision for bat roosts, hedgehog friendly fences, fruit trees and other native planting within the landscaping scheme.

The concern in respect of the loss of vegetation has been noted although at the time of the officer's site visit, much of the greenery was ornamental planting and in parts of the site, in particular to the north of the dwelling, brambles and other undergrowth had become very overgrown. The ecological appraisal has also noted the presence of an invasive species which is recommended for removal. There are no trees on site which are worthy of protection.

The proposal would retain good sized gardens for each dwelling and within these areas, there is adequate space to provide landscaping to help provide the necessary bio-diversity together with bee, bird and bat provision within the dwellings themselves. The ecologist has considered the measures identified in the ecological appraisal and is satisfied that the proposal would be acceptable in terms of ecology and bio-diversity.

## **Habitat Mitigation and off-site recreational impact**

### 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 such adverse impacts would 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. In this case, the applicant has entered into a Section 106 legal agreement, which secures the required habitat mitigation contribution.

### 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 has 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 set out mitigation measures for new development up to the end of March 2020, and thereafter relied 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 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, there needs to be a mitigation project to provide this development with a phosphate budget and for this reason.

Such a project has now been secured and a Grampian style condition can be imposed that can secure the appropriate level of phosphate mitigation.

### Developer Contributions

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

As part of the development, the following will/has been secured via a Section 106 agreement:

- Air Quality Monitoring
- Habitat Mitigation
- Habitat Mitigation Monitoring

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

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargeable Floorspace (sq/m)	Rate	Total
Dwelling houses	696.42	193.9	502.52	502.52	£80/sqm	£51,334.35 *

Subtotal:	£51,334.35
Relief:	£0.00
Total Payable:	£51,334.35

## 11 CONCLUSION

The proposal would provide 4 new homes within an established residential area without harming the character or appearance of the area or adversely impacting on the residential amenities currently enjoyed by adjoining occupiers. The access provisions have been accepted by the Highway Authority and adequate parking can be provided.

## 12 OTHER CONSIDERATIONS

One resident raised a concern about flooding at the opposite end of Park Road. This area of flooding is recognised within the New Forest Strategic Flood Risk Assessment as surface water flooding but it does not extend within 120m of the site. The site does not fall within any identified Flood Risk Zone. A drainage condition is recommended requiring the developer to deal with surface water drainage in an appropriate manner.

## 13 RECOMMENDATION

Delegated Authority be given to the Executive Head of Planning, Regeneration and Economy to **GRANT PERMISSION** subject to:

- i) the completion of a planning obligation entered into by way of a Section 106 Agreement to secure Air Quality Monitoring, Habitat Mitigation and Habitat Mitigation Monitoring and
- ii) the imposition of the conditions set out below.

### Proposed Conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

9495/200 rev.A - site block, location plan and DRA  
9495/201 rev.A - plots 1 & 2 floor plans & elevations  
9495/202 rev.A - plots 3 & 4 floor plans & elevations  
9495/203 rev.A - street scene, garage plans & existing plans  
9495/204 rev.B - plots 1 & 2 visibility splays plan  
9495/205 rev.B - plots 3 & 4 visibility splays plan  
Design and Access Statement version 1 dated February 2022  
Ecological Assessment Report dated 13th December 2021

Reason: To ensure satisfactory provision of the development.

3. Before development commences, the proposed slab levels in relationship to the existing ground levels set to an agreed datum shall be submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with those details which have been approved.

Reason: To ensure that the development takes place in an appropriate way in accordance with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

4. Before development including site clearance commences a scheme of landscaping of the site shall be submitted for approval in writing by the Local Planning Authority. This scheme shall include :

- a) the existing trees and shrubs which have been agreed to be retained;
- b) a specification for new planting (species, size, spacing and location);
- c) areas for hard surfacing and the materials to be used;
- d) other means of enclosure;
- e) a method and programme for its implementation and the means to provide for its future maintenance.



No development shall take place unless these details have been approved and then only in accordance with those details.

Reason: To ensure that the development takes place in an appropriate way and to comply with Policies ENV3 and ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

5. The development shall not be commenced until proposals for the mitigation or offsetting of the impact of phosphorus arising from the development on the River Avon Special Area of Conservation (SAC), including mechanisms to secure the timely implementation of the proposed approach, have been submitted to and approved in writing by the local planning authority. Such proposals must:
- (a) Provide for mitigation in accordance with the Council's Phosphorus Mitigation Strategy (or any amendment to or replacement for this document in force at the time), or for other mitigation which achieves a phosphorous neutral impact from the development.;
  - (b) Provide details of the manner in which the proposed mitigation is to be secured. Details to be submitted shall include arrangements for the ongoing monitoring of any such proposals which form part of the proposed mitigation measures.

The development shall be carried out in accordance with and subject to the approved proposals.

Reason: The impacts of the proposed development must be mitigated before any development is carried out in order to ensure that there will be no adverse impacts on the River Avon Special Area of Conservation (SAC) (adding, when it is in place and as applicable), in accordance with Policy ENV1 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and the Council's Phosphorus Mitigation Strategy / the Avon Nutrient Management Plan.

6. Before development above damp proof course commences, samples or exact details of the facing and roofing materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.

Reason: To ensure an acceptable appearance of the building in accordance with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

7. The works hereby approved shall be undertaken in strict accordance with the Ecological Assessment Report dated 13th December 2021 unless otherwise first agreed in writing with the Local Planning Authority.

Reason: To safeguard protected species in accordance with Policies ENV3, ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and Policies DM1, DM2 and DW-E12 of the Local Plan for the New Forest District outside the National Park (Part 2: Sites and Development Management).

8. The development hereby permitted shall not be occupied until the spaces shown on plan 9495/200 rev.A for the parking and garaging of motor vehicles [and cycles] have been provided. The spaces shown on plan 9495/200 rev.A for the parking and garaging of motor vehicles shall be retained and kept available for the parking and garaging of motor vehicles for the dwellings hereby approved at all times.

Reason: To ensure adequate parking provision is made in the interest of highway safety and in accordance with Policies ENV3 and CCC2 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

9. Before first occupation of the dwellings hereby approved, a scheme for the provision of infrastructure and facilities to enable the installation of charging points for electric vehicles to serve each new dwelling shall be submitted to the Local Planning Authority for its written approval. Thereafter, the development shall be implemented in full accordance with the approved details and thereafter retained.

Reason: In the interests of sustainability and to ensure that provision is made for electrical charging points in accordance with Policy IMPL2 of the Local Plan Part 1 Planning Strategy for the New Forest (outside of the National Park).

10. Notwithstanding the provisions of the Town & Country Planning General Development Order 2015 nothing over 600mm in height shall be placed or permitted to remain on the land shaded orange on the approved plan number 9495/200 rev.A.

Reason: In the interest of highway safety and in accordance with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

11. Before first occupation of the development hereby approved, a surface water sustainable drainage system (SuDS) shall be designed and installed to accommodate the run-off from all impermeable surfaces including roofs, driveways and patio areas on the approved development such that no additional or increased rate of flow of surface water will drain to any water body or adjacent land and that there is capacity in the installed drainage system to contain below ground level the run-off from a 1 in 100 year rainfall event plus 30% on stored volumes as an allowance for climate change as set out in the Technical Guidance on Flood Risk to the National Planning Policy Framework.

Infiltration rates for soakaways are to be based on percolation tests in accordance with BRE 365, CIRIA SuDS manual C753, or a similar approved method.

In the event that a SuDS compliant design is not reasonably practical, then the design of the drainage system shall follow the hierarchy of preference for different types of surface water drainage system as set out at paragraph 3(3) of Approved Document H of the Building Regulations.

The drainage system shall be designed to remain safe and accessible for the lifetime of the development, taking into account future amenity and maintenance requirements.

Reason: In order to ensure that the drainage arrangements are appropriate and in accordance with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park and the New Forest District Council and New Forest National Park Authority Strategic Flood Risk Assessment for Local Development Frameworks.

12. The first floor bathroom windows to the side elevations of plots 1 and 2 and the ground floor windows to the side elevations of plots 2 and 3 shall be obscurely glazed, and the windows shall be retained as such in perpetuity.

Reason: To safeguard the privacy of the adjoining neighbouring properties in accordance with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

**Further Information:**

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# New Forest DISTRICT COUNCIL

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## PLANNING COMMITTEE

September 2022

2 PARK ROAD  
FORDINGBRIDGE  
SP6 1EQ  
22/10148

Scale 1:1250

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

