

Application Number: 16/10603 Listed Building Alteration

Site: OLD FORGE, SALISBURY ROAD, BREAMORE SP6 2EA

Development: Retention of ground and first floor partition work and first floor side window, blocking up of rear door, reversal of staircase, provision of steps to kitchen and utility area (Retrospective)(Application for Listed Building Consent)

Applicant: Miss Blake

Target Date: 28/06/2016

Extension Date: 14/12/2016

1 REASON FOR COMMITTEE CONSIDERATION

Contrary Parish Council view

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Countryside outside the New Forest
Breamore Conservation Area
Grade II Listed Building

3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Core Strategy

Objectives

- 1. Special qualities, local distinctiveness and a high quality living environment
- 6. Towns, villages and built environment quality

Policies

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

Local Plan Part 2 Sites and Development Management Development Plan Document

DM1: Heritage and Conservation

4 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Section 38 Development Plan
Planning and Compulsory Purchase Act 2004
National Planning Policy Framework
NPPF Ch. 7 - Requiring good design
NPPF Ch. 12 - Conserving and enhancing the historic environment
Section 72 General duty as respects conservation areas in exercise of planning functions

5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS

SPG - Breamore Village Design Statement

6 RELEVANT PLANNING HISTORY

- 6.1 16/10602 - use as holiday let. Under consideration
- 6.2 11/97691 - use as holiday let (use class C1), wrought iron fence. Refused 15.11.12
- 6.3 10/95978 - use as professional/financial services (use class A2). Refused 13.10.10
- 6.4 08/92651 - (LBC) retention of boundary fence. Refused 21.8.08, appeal dismissed
- 6.5 08/92335 - continued use of building for mixed purposes, comprising retail/display/office and residential. Refused 9.7.08
- 6.6 06/87931 - use as retail/display and dwelling. Refused 3.8.06, appeal dismissed
- 6.7 05/85801 - use as dwelling. Refused 20.10.05
- 6.8 03/78910 - use for offices and retail. Granted 24.9.03
- 6.9 03/78819 - (LBC) external and internal alterations. Granted 10.9.03
- 6.10 02/75740 - change of use to residential dwelling and insertion of dormer window. Withdrawn 9.10.02
- 6.11 91/NFDC/47478 - change of use from industrial to a single dwelling house. Refused 10.10.91.

7 PARISH / TOWN COUNCIL COMMENTS

Breamore Parish Council - object most strongly. Alterations made without consent must not be accepted or approved. The Old Forge must be put back to its original internal design.

8 COUNCILLOR COMMENTS

None received

9 CONSULTEE COMMENTS

- 9.1 Conservation Officer - no objection subject to conditions
- 9.2 Ministry of Defence - no safeguarding objections

10 REPRESENTATIONS RECEIVED

- 10.1 A local resident has raised an objection suggesting that the property has not been marketed actively and the internal modifications were found to be unlawful. They further raise concern that the proposals are substantially different to the previous consent and unlawful works have caused the building to move.
- 10.2 A comment has been received stating that the property has full planning and listed building consent for the works.

11 CRIME & DISORDER IMPLICATIONS

None

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.

It was considered appropriate to revise the description for this listed building consent application as the original description was more relevant to the planning application (16/10602). As the proposed change of use does not

include any physical alterations to the property, consideration was given to the previous listed building consent approval for changes and the description amended to account for changes between that approval and the current situation.

14 ASSESSMENT

- 14.1 The site lies within the countryside outside the New Forest in the Breamore Conservation Area. It is listed Grade II and there are residential properties either side. It is set back from the main road through the village on a slip road which also accommodates the houses and a shop. The proposal is for retrospective listed building consent and entails changes which have been implemented following consent being granted in 2003 for external and internal alterations.
- 14.2 Although no physical alterations are proposed, the layout differs slightly from the scheme approved in 2003. Upstairs, the approval allowed a large rear dormer and replacement side window together with the removal of the partition work other than surrounding a small landing area at the top of the stairs. The existing layout still includes partition work in a slightly different arrangement to provide two rooms and a large landing area and the top of the staircase is towards the front rather than rear of the property. The existing side window is a different fenestration pattern to the approved one.
- 14.3 Downstairs, an internal porch was to be provided across the front door which would lead to a large open plan retail area, a rest room with French Windows to the rear and a store and separate WC/lobby/back door in a rear projection adjacent to this. While the property does have a porch area, it is larger than that approved and there is further partition work to provide a store to the front of the premises. The proposed kitchen area is shown at a higher level than the rest room although does not have the full partition work to separate it from the main floor area, simply a balustrade instead. The approved store leading to the WC at a higher level now provides a utility area and shower room. The shower room does not have a back door and the steps to this area are differently located to the approved scheme. The staircase leads from the rear of the property.
- 14.4 The property has been inspected both internally and externally and no objections to the existing layout or fenestration pattern have been raised by the Conservation Officer as the importance of the building now lies with its relationship with the surrounding buildings rather than its intrinsic architectural significance. However, in view of the lack of use of the premises, the property is now deteriorating and suffering from damp which could easily be reversed by occupation. The comment made by the Parish Council does not raise any specific issues in terms of the works implemented and their impact on the building. They object because the works were done without consent. This is not a reason for refusal. Any future alterations to the fabric of the building would, of course, require a further listed building consent.
- 14.5 The frontage of the building needs attention as the tarmac is overgrown. However, this is a matter for the associated planning application.

- 14.6 The property has now been vacant for several years and if not occupied soon could fall into further disrepair. It is likely that whilst unauthorised works have been implemented in the past and enforcement action taken where appropriate, these works and the subsequent unauthorised occupation have slowed down the decline of the building. The agent for application 91/NFDC/47478 noted the poor state of repair at that time when still occupied by the lawnmower repair business. There is not considered to be any justification to refuse this application on Listed Building grounds.
- 14.7 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 there may be an interference with these rights and the rights of other third parties, such interference has to be balanced with the like rights of the applicant to develop the land in the way proposed. In this case it is considered that the protection of the rights and freedoms of the applicant outweigh any possible interference that may result to any third party.

15. RECOMMENDATION

GRANT LISTED BUILDING CONSENT

Notes for inclusion on certificate:

1. 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 takes a positive and proactive approach, seeking solutions to any problems arising in the handling of development proposals so as to achieve, whenever possible, a positive outcome by giving clear advice to applicants.

It was considered appropriate to revise the description for this listed building consent application as the original description was more relevant to the planning application (16/10602). As the proposed change of use does not include any physical alterations to the property, consideration was given to the previous listed building consent approval for changes and the description amended to account for changes between that approval and the current situation.
2. You are advised that any further physical alterations to the property would require listed building consent.

Further Information:

Major Team
Telephone: 023 8028 5345 (Option 1)



New Forest DISTRICT COUNCIL

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

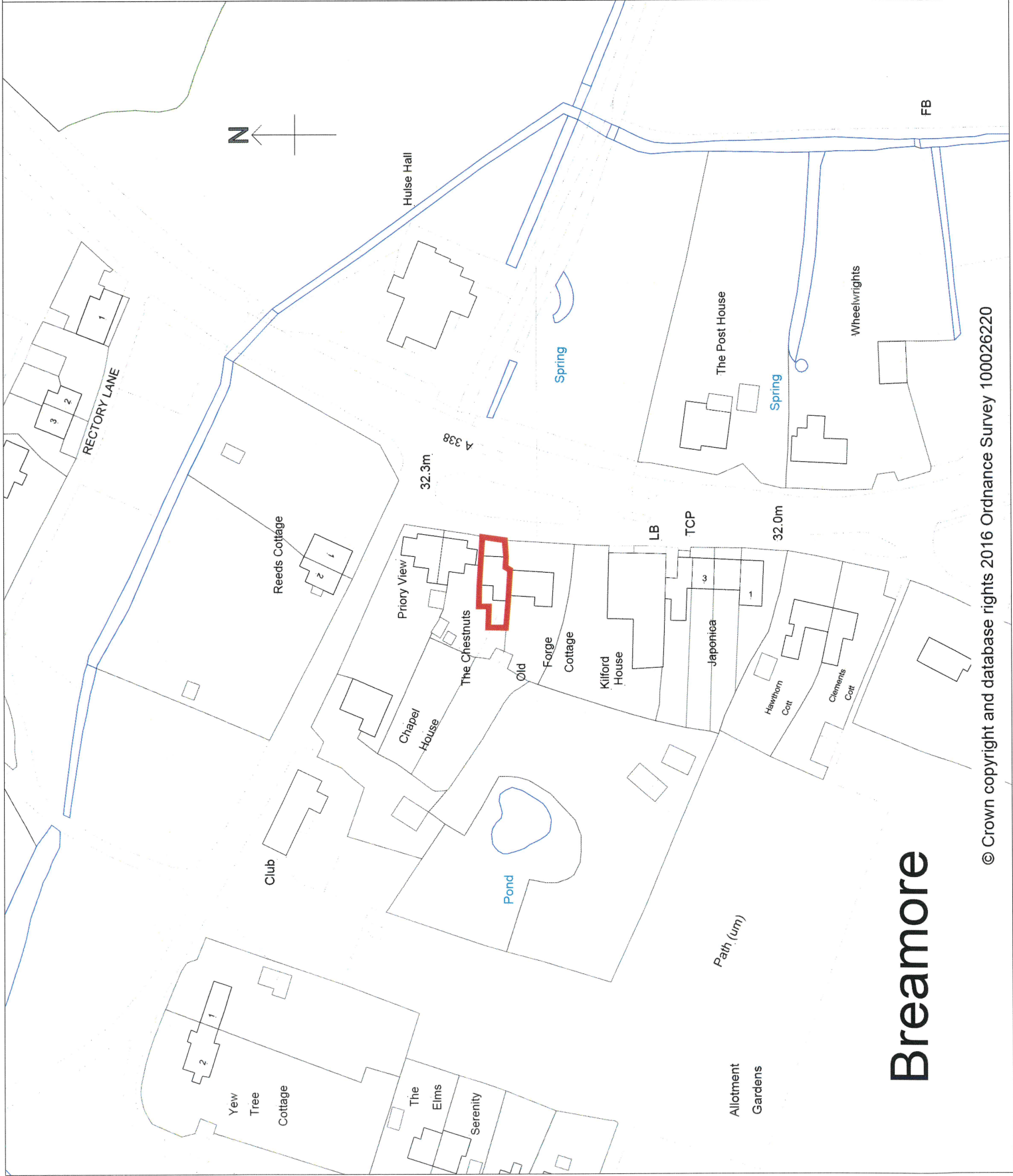
David Groom
Service Manager
Planning and Building Control
New Forest District Council
Appletree Court
Lyndhurst
SO43 7PA

**Planning Development
Control Committee
December 2016**

Item No: 3a
Old Forge
Salisbury Road
Breamore
16/10603
SU1518

Scale 1:1250

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



Breamore