

**Application Number:** 17/10802 Full Planning Permission

**Site:** 1 WHITEFIELD ROAD, HOLBURY, FAWLEY SO45 2HP

**Development:** Access, parking

**Applicant:** Miss Christie

**Target Date:** 24/08/2017

**Extension Date:** 16/10/2017

**RECOMMENDATION:** Grant Subject to Conditions

**Case Officer:** Kate Cattermole

**1 REASON FOR COMMITTEE CONSIDERATION**

Contrary to Policy due of loss of public open space.

**2 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES**

**Constraints**

Plan Area  
HSE Consultation Zone  
Aerodrome Safeguarding Zone

**Plan Policy Designations**

Built-up Area  
Public Open Space Existing

**National Planning Policy Framework**

Section 7

**Core Strategy**

CS2: Design quality  
CS24: Transport considerations

**Local Plan Part 2 Sites and Development Management Development Plan Document**

DM8: Protection of public open space, private playing fields and sports grounds and school playing fields

**Supplementary Planning Guidance And Documents**

None relevant

### 3 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

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

### 4 RELEVANT SITE HISTORY

Proposal	Decision Date	Decision Description	Status	Appeal Description
XX/NFR/13650 Erection of 296 houses and garages, 6 shops with maisonettes over, together with roads and sewers.	02/11/1964	Granted Subject to Conditions	Decided	

### 5 COUNCILLOR COMMENTS

Cllr Alvey: supported the original proposal:

This entrance will allow the resident to park their car off the road and thereby improve road safety. This area of Holbury suffers from an abundance of road side parking and congestion, and anything we can do to improve this will help. Hampshire CC have already approved the dropped kerb for this entrance. The resident has proposed the use of "grasscrete" or similar, and this could be a Condition of Approval. If Officers recommend refusal I would like this application to go to Planning Committee.

No further comments made on the amended scheme.

### 6 PARISH / TOWN COUNCIL COMMENTS

**Fawley Parish Council:** recommend permission

### 7 CONSULTEE COMMENTS

- 7.1 Hampshire County Council Highway Engineer: no objection subject to condition
- 7.2 New Forest National Park Authority: no Objection
- 7.3 NFDC Landscape Team: no objection. The revised scheme accommodates the footpath position on the ground, resulting in a proposal that basically widened the existing footpath route to accommodate a vehicle width. In doing so it retains the grass verge intact and therefore limits the proposals impact on both visual amenity and the street scene character of wide green verges.

Although the proposal is contrary to policy due to the loss of public open space - the loss is very small sterile grassed area adjacent to an existing footpath and will not diminish the public amenity provided by this piece of public open space.

### 8 REPRESENTATIONS RECEIVED

No comments received

## **9 CRIME & DISORDER IMPLICATIONS**

None relevant

## **10 LOCAL FINANCE CONSIDERATIONS**

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

## **11 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 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.

Amended plans were accepted to overcome the objections relating to the alignment of the driveway, which would have been over an area of designated open space. The revised plans are supported at officer level, but as part of the driveway would still encroach on the open space, it would be contrary to Policy DM8 and therefore needs to be referred to the Planning Development Control Committee. Due to the acceptance of amended plans and the need to refer this item to committee, the application could not be determined within the 8 week timescale of the application, but extensions of time have been agreed with the applicant.

## **12 ASSESSMENT**

- 12.1 The existing semi-detached property is set back from Whitefield Road, and there is a grassed area separating the property from the highway. There is also a similar grassed area on the opposite side of the junction with Stonymoor Close, as well as a much larger grassed area opposite.
- 12.2 These are designated areas of existing public open space, as identified on the accompanying map for the Local Plan Part 2: Sites and Development Plan, and as such Policy DM8 is applicable. Policy DM8 does not allow development in these areas and therefore the introduction of an access cutting across this existing area would be contrary to Policy.
- 12.3 The current proposal is to create an access over a small part of the public open space in front of the dwelling to serve a hard standing and parking area within the residential curtilage. The original access scheme would have cut across the open space. An amended proposal has been accepted which utilises the existing footpath alongside the open space. Although the proposal would still encroach onto the grassed area this is only a small triangular piece of land approx. 2.7 square metres in size and is much more limited than the original scheme.
- 12.4 The additional area required for the cross over would be tarmac to match the existing footpath. This revised layout allows the grass verge to stay intact and therefore limits the proposals impact on both visual amenity and the street scene which has distinctive wide green verges. Although this proposal is contrary to policy, the loss of public open space is modest and involves a very small, sterile grassed area adjacent to an existing footpath and therefore it is not considered to diminish the public amenity of the Public Open Space.

- 12.5 HCC Highways have already approved a vehicle crossing at this site. They have confirmed that the revised vehicular access is acceptable, subject to a condition to ensure that the parking and turning arrangements within the curtilage are provided to ensure that vehicles can turn around, together with an informative advising of the need for a revised road opening licence.
- 12.6 Cllr Alveys' comments refer to the original scheme, no further comments have been received on the amended proposal. Fawley Parish Council objected to the original scheme as contrary to Policy, however they have recommended permission to this revised scheme.
- 12.7 The applicant included an email from Southern Gas Services to confirm that the works would not adversely affect the gas kiosk which is sited to the other side of the footpath.
- 12.8 Overall, despite the fact that this proposal is contrary to Policy DM8, it relates to a very small area of open space and its loss would not diminish the functionality or purpose of this open space. Overall, no objection is raised and therefore planning permission is recommended.
- 12.9 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.

### **13. RECOMMENDATION**

#### **Grant Subject to Conditions**

#### **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: Rev B, Drawing no 002PR Rev B, 001PR Rev B  
Reason: To ensure satisfactory provision of the development.

3. Before use of the development is commenced provision for parking and turning shall have been made within the site in accordance with plan 001PR Rev B, and shall be retained thereafter for that purpose.

Reason: To ensure adequate turning is provided within the site in the interest of highway safety and in accordance with Policy CS2 and CS24 of the Local Plan for the New Forest outside of the National Park (Core Strategy).

**Notes for inclusion on certificate:**

1. A revised road opening licence is required for these works, and any works on the highway must be undertaken to the appropriate standard laid down by and under the licence agreement with the Highway Authority.
2. 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.

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3. This decision relates to amended plans received by the Local Planning Authority on 30th August 2017

**Further Information:**

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# New Forest DISTRICT COUNCIL

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## Planning Development Control Committee

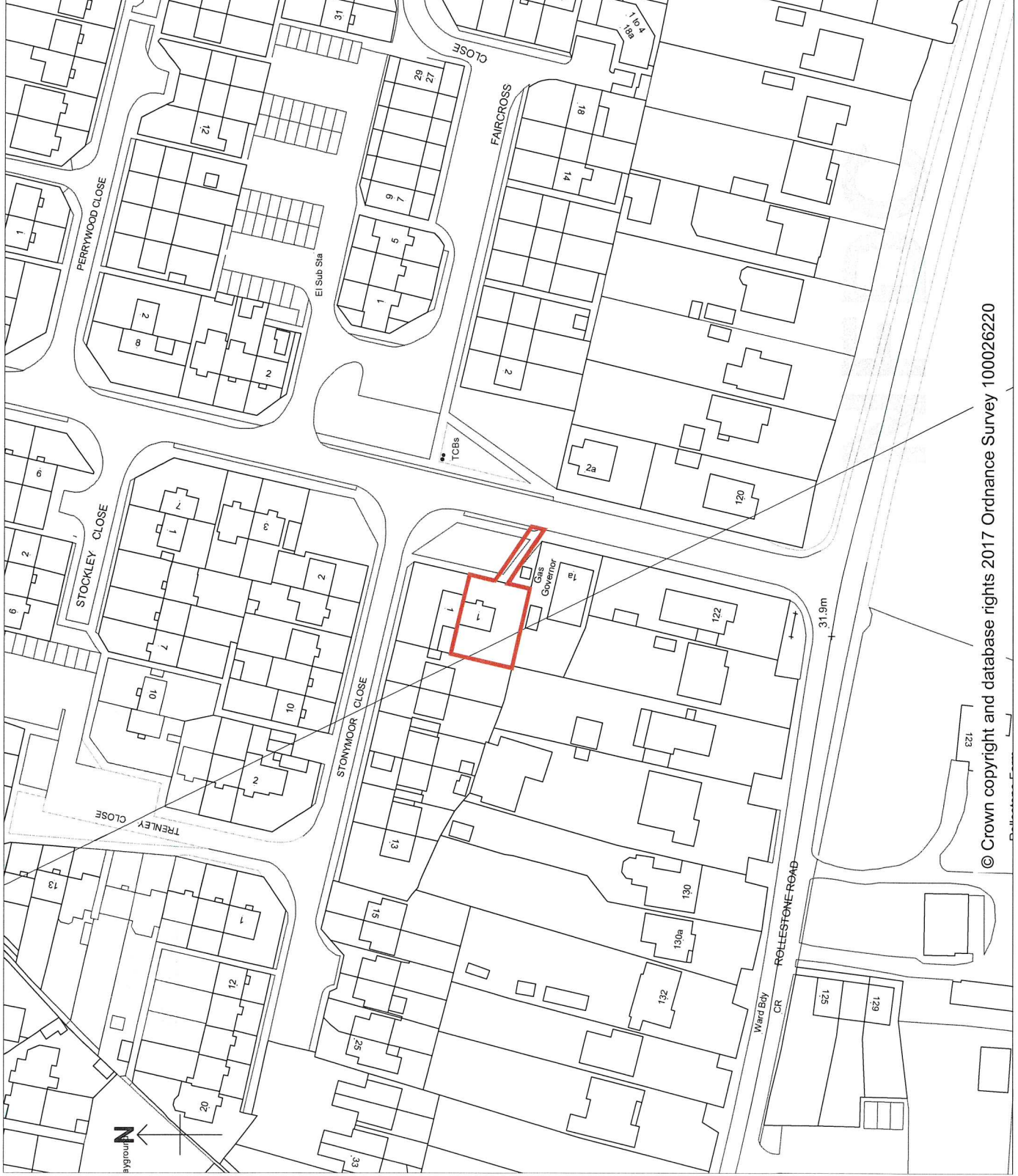
October 2017

Item No: 3c

1 Whitefield Road  
Holbury  
Fawley  
17710802  
SU

Scale 1:1250

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



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