

Application Number: 18/10481 Full Planning Permission

Site: 12 ST GEORGES CRESCENT, FORDINGBRIDGE SP6 1ET

Development: 1 Pair of semi-detached bungalows; parking; demolish existing

Applicant: CNB Builders & Development Ltd

Target Date: 11/06/2018

Extension Date: 13/07/2018

RECOMMENDATION: Refuse
Case Officer: Stephen Belli

1 REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Built-up Area

3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Core Strategy

Objectives

3. Housing

Policies

CS2: Design quality

CS24: Transport considerations

CS25: Developers contributions

Local Plan Part 2 Sites and Development Management Development Plan Document

NPPF1: National Planning Policy Framework – Presumption in favour of sustainable development

DM3: Mitigation of impacts on European nature conservation sites

4 RELEVANT LEGISLATION AND GOVERNMENT ADVICE

Section 38 Development Plan

Planning and Compulsory Purchase Act 2004

National Planning Policy Framework

5 RELEVANT SUPPLEMENTARY PLANNING GUIDANCE AND DOCUMENTS

SPD - Fordingbridge Town Design Statement
SPD - Mitigation Strategy for European Sites
SPD - Parking Standards
Memorandum of Understanding regarding Phosphate levels in the River Avon

6 RELEVANT PLANNING HISTORY

None relevant

7 PARISH / TOWN COUNCIL COMMENTS

Fordingbridge Town Council: recommend permission as the erection of the dwellings doesn't adversely affect the street scene, however it is recommended that the parking provision is reduced to two per property to limit the impact on the street scene.

8 COUNCILLOR COMMENTS

No comments received

9 CONSULTEE COMMENTS

Hampshire County Council Highway Engineer: no objection subject to a condition and an informative note.

10 REPRESENTATIONS RECEIVED

10.1 Two letters of objection expressing the following concerns (summary):

- House is likely to contain asbestos (Environmental Health officer could be consulted);
- Will adversely impact highway safety - road is very narrow, junction with St George's Crescent is regularly obstructed by parked cars and vehicles park along Waverley Close;
- Proposals have poor rear access making it difficult to access cycle storage;
- More local residents should have been notified of the proposal;
- Building works will cause noise/ smell/ dirt disturbance to elderly residents of Waverley Close (many of whom suffer ill health);
- First floor rear windows will overlook residents behind at a distance of 13.3m.

10.2 One of these letters of objection is accompanied by a petition signed by 10 residents of Waverley Close.

11 CRIME & DISORDER IMPLICATIONS

Not applicable

12 LOCAL FINANCE CONSIDERATIONS

If this development is granted permission, the Council will receive New Homes Bonus of £1224 in each of the following four years, subject to the following conditions being met:

- a) The dwellings the subject of this permission are completed, and
- b) The total number of dwellings completed in the relevant year exceeds 0.4% of the total number of existing dwellings in the District.

Based on the information provided at the time of this report this development has a CIL liability of £5,903.66.

Tables setting out all contributions are at the end of this report.

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.

The agent has been made aware of the objections to the application and it is not considered that these objections can be adequately addressed as a part of this planning application.

14 ASSESSMENT

- 14.1 The application seeks approval for a pair of semi-detached chalet bungalows that would replace a chalet dwelling on the north side of St Georges Crescent, Fordingbridge. Waverley Close directly adjoins the site to the rear but there is no access from this road. The site falls within the built up area.

- 14.2 There is a mix of dwelling type in the locality formed of two and single-storey properties but the general character of the area comprises detached dwellings with conformity in plot shape and size albeit with more close knit development at the end of the cul-de-sac.
- 14.3 The proposal would divide the application site into two equal halves to allow the subdivision of the plot to accommodate the two dwellings. The proposals would be of handed design with forward projecting bedrooms centrally positioned straddling the boundary and each with a rear dormer and velux. Three parking spaces would be provided for each property encompassing near the entirety of the front garden with cycle and refuse provision shown in the rear garden.
- 14.4 The plot is considered to be of insufficient size to accommodate two dwellings that would be out of keeping with the established character and pattern of development as described. This harm would be highlighted by the excessively cramped appearance of the dwellings caused by their restricted plot width, the lack of space around the building and with the front garden areas given over to parking, leaving very limited space for any meaningful landscaping. Therefore, while the proposal would provide an additional dwelling which weighs in favour of the scheme, it is not considered that this outweighs the harm that would be caused and there is an objection to the application on this basis.
- 14.5 On issues of residential amenity, the proposals would align with neighbouring properties either side, would be devoid of side facing windows (with the exception of one velux), would be slightly inset from the boundary and would be single-storey with a roof hipped away from the boundary. With this in mind, having regard to no.10, this is a two-storey dwelling set in from the boundary with a 2m high (approx.) boundary hedge. This hedge, and a tree within this neighbouring garden screen views of this dwelling and it is not considered that any significant adverse impact in residential amenity would be caused.
- 14.6 14 St. Georges Crescent is a single-storey dwelling with its main outlook to the front and rear. There are however 3 side facing windows and a door, albeit with the door and two of them being obscure glazed. That towards the front is not obscure glazed but the stepped side wall of the proposal would open up the spacing around this window. On balance, it is considered that any associated refusal reason would prove difficult to sustain.
- 14.7 Properties to the rear are located some 25m away thus any views from the new rear dormers would be at an appreciable distance and towards the front of these dwellings that are open to public view. Regarding the neighbouring dwellings in front, no first floor facing windows are shown (unlike the existing dwelling) and having regard also to the siting and the design of the proposals, it is not considered that any significant adverse impact in residential amenity would be caused.
- 14.8 On matters pertaining to highway safety, the proposal provides 3 parking spaces for each dwelling; with each property providing 2 bedrooms this is in excess of the recommended average provision of 2 spaces per unit. The Highway Engineer has raised no objection to the application based on the level of car parking provision proposed. In the event that permission were granted, it is considered that 1 space for each dwelling

could be omitted as per the comments from the Parish Council. These changes have not been sought given the other objections to the application.

- 14.9 Having regard to the further issues raised, any asbestos would be appropriately dealt with by separate legislation while any planning refusal based on the noise/ disturbance/ dust caused during construction would be unreasonable.

Other material considerations

- 14.10 The LPA is not currently able to demonstrate a 5 year supply of housing land when assessed against its most recent calculation of Objectively Assessed Need. Relevant policies for the supply of housing are therefore out of date. In accordance with the advice at paragraph 14 of the NPPF, permission should therefore be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the NPPF indicate that development should be restricted. In this case, the presumption in favour of sustainable development does not apply because the development requires an appropriate assessment in compliance with the Birds or Habitats Directive, and there is therefore a specific policy in the NPPF (paragraph 119) which indicates that development should be restricted. Moreover, as set out above, it is considered that the adverse impact of the proposed development would significantly and demonstrably outweigh the benefits of the development.
- 14.11 Members will be updated at the meeting in terms of habitat mitigation.
- 14.12 The Council has recently been advised by Natural England and the Environment Agency that existing measures to off-set the amount of phosphorous entering the River Avon as set out in the Hampshire Avon Nutrient Management Plan will not be sufficient to ensure that adverse effects on the integrity of the River Avon Special Area of Conservation do not occur. Accordingly, new residential development within the catchment of the Hampshire Avon needs to be "phosphate neutral". In order to address this matter the Council in conjunction with Natural England, the Environment Agency and adjoining local authorities proposes to develop appropriate phosphorous controls and mitigation measures to achieve phosphorous neutrality. A Memorandum of Understanding has been signed by the aforementioned parties and it is proposed that this matter would be dealt with by condition which would prevent occupation of this development until implementation of the necessary mitigation or offsetting has been secured, had the development otherwise been acceptable.
- 14.13 In conclusion, the proposed development would result in an overly intensive and cramped form of development which would be out of character with the surrounding pattern of development
- 14.14 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 this recommendation, if agreed, may interfere with the rights and freedoms of the applicant to develop the land in the way proposed, the objections to the planning application are serious ones

and cannot be overcome by the imposition of conditions. The public interest and the rights and freedoms of neighbouring property owners can only be safeguarded by the refusal of permission.

Section 106 Contributions Summary Table

Proposal:			
Type of Contribution	NFDC Policy Requirement	Developer Proposed Provision	Difference
Affordable Housing			
No. of Affordable dwellings	0	0	0
Financial Contribution			
Habitats Mitigation			
Financial Contribution			

CIL Summary Table

Type	Proposed Floorspace (sq/m)	Existing Floorspace (sq/m)	Net Floorspace (sq/m)	Chargeable Floorspace (sq/m)	Rate	Total
Dwelling houses	180	118.7	61.3	61.3	£80/sqm	£5,903.66 *

Subtotal:	£5,903.66
Relief:	£0.00
Total Payable:	£5,903.66

* The formula used to calculate the amount of CIL payable allows for changes in building costs over time and is Index Linked using the All-in Tender Index Price published by the Build Cost Information Service (BICS) and is:

Net additional new build floor space (A) x CIL Rate (R) x Inflation Index (I)

Where:

A = the net area of floor space chargeable in square metres after deducting any existing floor space and any demolitions, where appropriate.

R = the levy rate as set in the Charging Schedule

I = All-in tender price index of construction costs in the year planning permission was granted, divided by the All-in tender price index for the year the Charging Schedule took effect. For 2018 this value is 1.2

15. RECOMMENDATION

Refuse

Reason(s) for Refusal:

1. The application would result in an overly intensive and cramped form of development that would be out of keeping with the more spacious character of development in the area which comprises detached dwellings on regular shaped plots. The proposal would therefore be contrary to the provisions of the NPPF and Policy CS2 of the Core Strategy for the New Forest District outside of the National Park (Adopted) October 2009.

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.

The agent was been made aware of the objections to the application and it was not considered that these objections could be adequately addressed as a part of this planning application.

Further Information:

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New Forest DISTRICT COUNCIL

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**Planning Development
Control Committee**
July 2018

Item No: 3i

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St Georges Crescent
Fordingbridge
18/10481

Scale 1:1250

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

