

**Application No: 16/00927/FULL Full Application**

**Site:** Highfield, Blissford Road, Blissford, Fordingbridge, SP6 2JH

**Proposal:** Single storey extension to mobile home

**Applicant:** Miss J Birch

**Case Officer:** Katie McIntyre

**Parish:** GODSHILL

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**1. REASON FOR COMMITTEE CONSIDERATION**

To consider whether the applicant's personal circumstances warrant a departure from policy

**2. DEVELOPMENT PLAN DESIGNATION**

Conservation Area

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

DP11 Extensions to Dwellings  
DP1 General Development Principles  
CP8 Local Distinctiveness  
CP7 The Built Environment

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Not applicable

**5. NATIONAL PLANNING POLICY FRAMEWORK**

Sec 11 - Conserving and enhancing the natural environment  
Sec 6 - Delivering a wide choice of high quality homes  
Sec 12 - Conserving and enhancing the historic environment

**6. MEMBER COMMENTS**

None received

**7. PARISH COUNCIL COMMENTS**

Godshill Parish Council: Support:

The proposal is compelling, appropriate and logical to support the needs and exceptional circumstances of applicant and her family.

## **8. CONSULTEEES**

No consultations required

## **9. REPRESENTATIONS**

9.1 None received

## **10. RELEVANT HISTORY**

- 10.1 Siting of mobile home (94/54470) refused on 6 July 1994.
- 10.2 Enforcement Notice issued 2 December 1997. Subsequent enforcement appeal dismissed 18 August 1998.
- 10.3 Prosecution in Magistrates Court 9 June 2000.
- 10.4 Further prosecution in Magistrates Court 3 September 2002.
- 10.5 Resolution by District Council Planning Committee to give applicant one month to submit homelessness application failing which injunction proceedings would be commenced.
- 10.6 Retention of mobile home for agricultural worker (04/83091) appeal dismissed 8 November 2005.
- 10.7 Injunction Hearing judgement delivered 2 March 2006
- 10.8 Rretention of extended mobile home and ancillary mobile home (11/96247) granted on 20 March 2012 subject to a legal agreement.
- 10.9 Completion of building to provide residential accommodation (16/00085) refused on 17 May 2016.

## **11. ASSESSMENT**

- 11.1 The application site lies outside of the defined villages within the Western Escarpment Conservation Area. The site consists of two mobile homes. The larger of the two mobile homes on the site is occupied by the applicant and her son Jakey, and the second smaller mobile home is occupied in an ancillary capacity by her daughter Rose. This application seeks consent for a single-storey extension to the principal mobile home at the site occupied by Jakey and his mother.
- 11.2 From the outset it is important to understand the planning history of the site and the applicant's particular circumstances. The site has a long planning enforcement history which is recorded in section 10 above. In summary, an enforcement notice was issued against the existing mobile home back in 1997, a decision which

was upheld at appeal. A subsequent application to retain the mobile home was refused and dismissed on appeal in 2005. Further legal action through the Courts however failed to secure compliance with the Enforcement Notice. In 2011/2012 an application for the regularisation of this mobile home together with a second ancillary mobile home on the site was submitted and approved. A decision was granted as an exception to the development plan on the basis of the individual circumstances of Jakey who has severe cerebral palsy. This approval is subject to a S106 legal agreement in relation to the following:

- An acceptance that any permission has only been granted owing to the very special circumstances surrounding the applicant's son, Jakey Pearce.
- An acceptance that the Authority will not permit the mobile homes to be replaced with a permanent structure;
- The residential occupation of the site subsists only for the benefit of the applicant's son (to include his parents and siblings) and that within three months of the date when the applicant's son ceases to reside at the site (for whatever reason), the residential occupation of the site shall have ceased completely by all individuals;
- With three months thereafter, all residential development shall be removed from the site (to include mobile homes and buildings) and the land restored to a condition first agreed in writing by the Authority; and
- Not to permit any further buildings or structures to be erected at the site without first applying for and securing the necessary planning permission.

In 2016 an application for the retention of a log cabin to allow Jakey's sister Alice and her family (partner and two children) to live at the site was refused. This log cabin has since been removed from the site.

11.3 The National Planning Policy Framework requires applications to be determined in accordance with the development plan unless material considerations indicate otherwise. There is no policy to directly support the extension of the existing mobile home. The two mobile homes at the site have however been allowed to remain to date owing to the family's circumstances and thus consideration needs to be given as to whether these circumstances extend to the development proposal now the subject of this planning application.

11.4 Officers have been involved in discussions with the applicant, Jakey's Occupational Therapist and the Disabled Facilities Grant Officer at New Forest District Council in relation to accommodating Jakey's needs now he is entering adulthood prior to the submission of this application. Various options were considered including whether access to a sleeping area and family living area within the existing mobile home could be

achieved. It was found however that the condition of the floor in the original part of the mobile home would not be strong enough to adequately support the wheelchair owned by Jakey. For this reason the Council's Disabled Facilities Grant Officer suggested two alternative approaches to meeting Jakey's needs. The first was to create an extension of a suitable size to accommodate a bedroom for Jakey. His current sleeping area could then be used as a family living space. The second option was to replace the existing mobile home with a newer mobile home of a suitable layout capable of bearing the weight of Jakey's wheelchair. This second option was not considered to be financially viable and as such this application seeks consent for a modest extension.

- 11.5 The proposed extension would have a footprint of approximately 5m by 5m and would be constructed of wood to match the extension permitted in 2011/2012. The addition would be accessed via the existing ramp externally and an internal doorway. It would provide a private bedroom for Jakey. Currently Jakey occupies the space within the extension in situ. This room is not however private being the only access through the mobile home to the front door by visitors. It also acts as the family living area as Jakey is unable to enter the original parts of the mobile home as the doorway widths are too narrow for his wheelchair.
- 11.6 The extension would allow his current bedroom area to be used as a family room so that Jakey can access unaided using his powered wheelchair. The size of the extension has been dictated by the equipment Jakey requires such as his mobile hoist, electric bed and his comfy chair which would allow him to sit comfortably and enable him to complete activities he enjoys such as computing. The addition would also allow adequate turning space for his powered wheelchair as well as access around the bed which would benefit his care. The application has been accompanied by supporting letters from Jakey's Occupational Therapist and from Hampshire County Council's Children's Services Department and the Western Area Disabled Children's Team. The Parish Council also support the proposal.
- 11.7 It is evident from the information provided and the letters of support from Jakey's care workers that the proposed accommodation is required in order to allow Jakey to remain in his home as he enters adulthood and that the space proposed is proportionate to that need. There is therefore considered to be exceptional circumstances in this instance which would warrant a departure from the development plan. As there is an existing S106 agreement relating to the land which restricts the occupation of the mobile home and requires all development to have written consent from the Authority, it is not considered there would be a need for further restrictive conditions attached to this consent. The proposal would still be in compliance with this S106 agreement.

## **12. RECOMMENDATION**

Grant Subject to Conditions

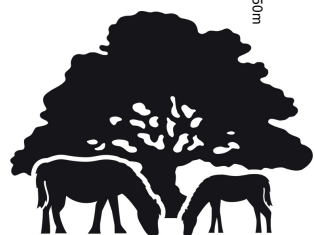
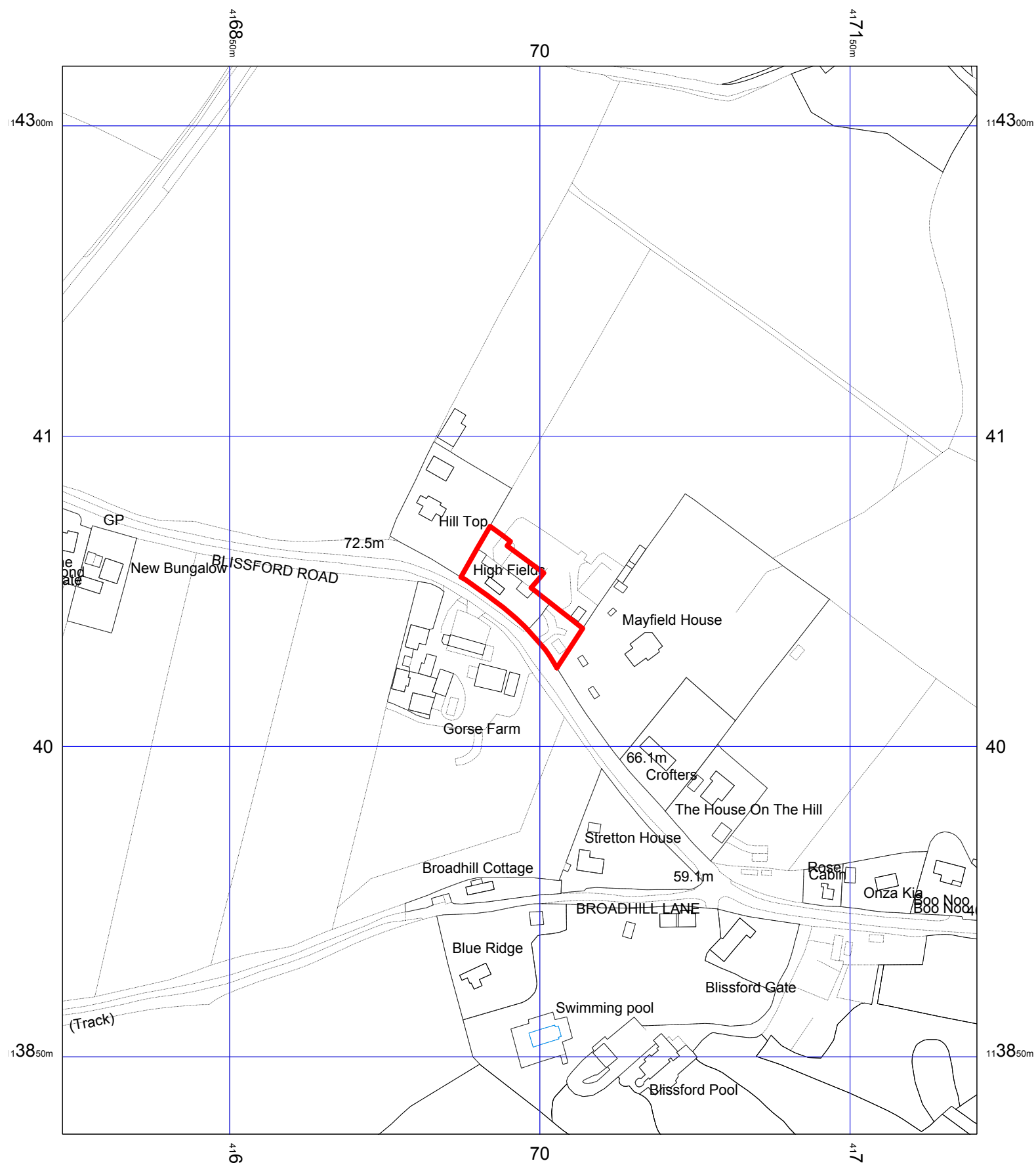
### **Condition(s)**

- 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 Development shall only be carried out in accordance with drawing numbers: Location Plan 001, Block Plan 002, 1, 2, 3, 4, 5, 6 and 7. No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.

Reason: To ensure an acceptable appearance of the building in accordance with policies CP7, CP8, DP6 and DP1 of the New Forest National Park Core Strategy and Development Management Policies (DPD) December 2010.



NEW FOREST  
NATIONAL PARK

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Date: 06/01/2017

**Ref: 16/00927/FULL**

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