

**Application No: 18/00985/FULL Full Application**

**Site:** Lloyds TSB, Sway Road, Brockenhurst, SO42 7ZH

**Proposal:** Change of use to 5no. 2 bedroom flats; 4no roof lights; alterations to existing access; 10no. parking spaces; cycle storage; associated landscaping and works

**Applicant:** Mr Guterman, Stanthorne Ltd

**Case Officer:** Natalie Walter

**Parish:** BROCKENHURST

**1. REASON FOR COMMITTEE CONSIDERATION**

Previous Committee consideration.

**2. DEVELOPMENT PLAN DESIGNATION**

Conservation Area  
Defined New Forest Village  
Tree Preservation Order

**3. PRINCIPAL DEVELOPMENT PLAN POLICIES**

CP1 Nature Conservation Sites of International Importance  
CP7 The Built Environment  
CP8 Local Distinctiveness  
CP12 New Residential Development  
CP15 Existing Employment Sites  
DP1 General Development Principles  
DP6 Design Principles  
DP9 Residential Density in the Defined Villages

**4. SUPPLEMENTARY PLANNING GUIDANCE**

Design Guide SPD

**5. NATIONAL PLANNING POLICY FRAMEWORK**

Sec 5 - Delivering a sufficient supply of homes  
Sec 11 - Making effective use of land  
Sec 12 - Achieving well-designed places  
Sec 15 - Conserving and enhancing the natural environment  
Sec 16 - Conserving and enhancing the historic environment

## **6. MEMBER COMMENTS**

None received

## **7. PARISH COUNCIL COMMENTS**

Brockenhurst Parish Council: Support the application.

## **8. CONSULTEES**

- 8.1 Tree Officer: No objection subject to conditions.
- 8.2 Building Design & Conservation Area Officer: No objection subject to conditions.
- 8.3 Highway Authority (HCC): No objection subject to conditions.
- 8.4 Ecologist: Support subject to conditions.
- 8.5 Landscape Officer: No objection subject to conditions.

## **9. REPRESENTATIONS**

- 9.1 Four representations received in support of the application. One letter of comment received suggesting the provision of Swift bricks.
- 9.2 The Friends of Brockenhurst comment:
  - The application marginally reduced grazing in Sway Road by widening the vehicular access.
  - Request that the grass area facing Sway Road be left unfenced or use of railings is conditioned.

## **10. RELEVANT HISTORY**

- 10.1 Change of use to 5 no. 2 bedroom flats; 4 no. rooflights; 1 no. new dwelling; 2 metre high brick wall; alterations to existing access; 9 no. parking spaces; associated landscaping and works (17/00840) refused on 17 January 2018; appeal against refusal dismissed on 17 October 2018.
- 10.2 Change of use to dental practice (Use Class D1); 2 no. flats (C3); internal alterations (17/00036) granted on 21 March 2017.

## **11. ASSESSMENT**

- 11.1 The application site is a vacant, commercial premises situated within the defined village of Brockenhurst. The application site lies partially within the conservation area: the area of car parking and garage at the rear of the property are located outside of the conservation area. The building is not listed but it has been identified within the Brockenhurst Conservation Area Character Appraisal as a building of vernacular/ local historic interest.

- 11.2 Consent was granted in March 2017 for the use of the ground floor as a dental practice (Use Class D1) and the conversion of the former office space on the first and second floors into two residential units. To date, this permission has not been implemented.
- 11.3 The application follows the refusal of planning application reference 17/00840, which was dismissed on appeal. Key changes from the refused scheme include the omission of the three-bed dwelling within the car park and an increase in the number of car parking spaces by one space.
- 11.4 The application proposes the conversion of the bank into five two-bed flats. 10 car parking spaces and 10 cycle parking spaces would be provided in the existing car park and the existing access would be widened.
- 11.5 The key issues to be considered are:
- The principle of the proposed development;
  - Whether the use would be appropriate to the existing building (which has been recognised as significant locally);
  - The impact of the proposal on neighbouring amenity;
  - The impact of the proposal on trees and ecology; and
  - Provision of car parking and highway implications.

#### Principle of Development

- 11.6 The site is located within the defined village boundary of Brockenhurst. Policy CP9 supports small-scale development proposals to meet local needs, including housing and employment, within defined villages. There is an identified housing need in the National Park and the proposal would contribute to meeting some of this need on a previously developed site in a sustainable location. The provision of smaller units within the centre of the village is supported.
- 11.7 The adopted Core Strategy also supports the retention of existing facilities and seeks to prevent their loss or redevelopment: Policy CP10 seeks the retention of existing community facilities and Policy CP15 supports the retention of existing employment uses. Emerging Policy SP43 supports the retention of existing employment uses but also considers mixed use development could be appropriate on these sites in particular circumstances. Whilst it is noted that there is an extant permission for a mixed-use scheme on the site, this has not been implemented. The premises are currently vacant and the applicant has submitted evidence of marketing of the property over a period of 18 months following the closure of the bank. The principle of the proposed change of use is accepted in this case.

### Suitability of the Proposed Use

11.8

The existing building is a prominent and valuable feature within the Brockenhurst Conservation Area. The proposed conversion would include new windows at first floor on the Brookley Road frontage, new rooflights, a rear tile hung dormer enclosing the top end of a lift shaft and window/ door openings onto the flat roofed area. There would also be new flues and vents associated with the proposal. The Inspector for the recent appeal (ref: APP/B9506/W/3200450) considered that the impact of such alterations would be balanced by improvements to the immediate site and building and, in relation to the proposed conversion and adaptation of the building, concluded that it would result in a neutral effect preserving the character and appearance of the conservation area. Given this, and the overall improvements to the site through the proposed landscaping scheme, the proposed conversion of the non-designated heritage asset is considered to be acceptable, in accordance with Policy CP7 which seeks to preserve the character of the conservation area.

### Impact on Neighbouring Amenity

11.9

The proposed conversion of the former bank building includes a terrace at first floor level to be used by the occupants of flat four. A 1.5m high trellis is proposed in order to protect the amenity of residents to the rear of the site on Auckland Avenue. In relation to the boundary with 1 Sway Road, the applicant has agreed to repair the existing fence. Overall, it is not considered that the proposals will result in any significant adverse impact on neighbouring amenity.

### Impact on Trees and Ecology

11.10

The application site is subject to a tree preservation order (TPO/0017/17) which includes a single Horse Chestnut tree. The Authority's tree officer has raised no objection to the proposals subject to the provision of an updated arboricultural method statement and tree protection plan, which can be conditioned.

11.11

In relation to ecology, the site lies within 400m of the New Forest Special Protection Area and 5.6km of the Solent Special Protection Area. 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 planning 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 the adverse impacts would be avoided if the planning permission were to be conditional upon the approval of proposals for the mitigation of

that impact in accordance with the Authority's Mitigation Strategy or mitigation to at least an equivalent effect. A draft unilateral undertaking has been submitted and the applicant has agreed to contributions towards mitigation, which can be secured by condition. It is further considered reasonable and necessary to secure biodiversity enhancement by condition.

#### Provision of Car Parking and Highway Implications

- 11.12 The application includes 10 car parking spaces and 10 cycle parking spaces which meet the adopted standards. The proposed access is to be widened and the Highway Authority has no objection to the proposed development.

#### Other Considerations

- 11.13 The Friends of Brockenhurst have commented in respect of boundary treatment on Sway Road. A landscape specification and method statement accompanies the application and details of railings can be secured by condition. In accordance with the Town and Country Planning (Pre-commencement Conditions) Regulations 2018, the applicant's written agreement has been received in relation to the proposed pre-commencement conditions.

#### Conclusion

- 11.14 The application proposes the conversion of a non-designated heritage asset into five flats in a sustainable location within the defined New Forest village of Brockenhurst. A landscaping scheme is proposed which will improve the immediate site to the benefit of the conservation area. For the reasons set out above, it is recommended that permission is granted subject to condition.

## **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 nos: 1829.02, 1829.03, 1829.04, 1829.05, 1829.06 (dated December 2018), 17238-BT1 and HU4.01/P. 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).

- 3 No development shall take place until details of external materials, including the following, have been submitted to and approved in writing by the New Forest National Park Authority:

- All roof materials;
- Rainwater goods;
- All facing materials; and
- Details of all external flues, duct vents and pipes.

Development shall only be carried out in accordance with the details approved.

Reason: To protect the character and appearance of the building and conservation area in accordance with Policies DP1, DP6 and CP7 of the New Forest National Park Core Strategy and Development Management Policies DPD (December 2010).

- 4 No windows/ doors or external joinery shall be installed until the following details have been submitted to and approved in writing by the New Forest National Park Authority.

- Typical large scale joinery elevations and sections including window/doors (including roof lights), eaves, verge, bargeboards.

Development shall only take place in accordance with those details which have been approved.

Reason: To protect the character and appearance of the building and conservation area in accordance with Policies DP1, DP6 and CP7 of the New Forest National Park Core Strategy and Development Management Policies DPD (December 2010).

- 5 No windows or rooflights other than those hereby approved shall be inserted into the roofspace of the dwelling unless express planning permission has first been granted.

Reason: To safeguard the privacy of the adjoining neighbouring properties in accordance with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies DPD (December 2010).

- 6 No development shall take place until further details of landscaping of the site shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall include: details of block paving and the materials to be used; details of railings and fencing.

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

Reason: To ensure that the appearance and setting of the development is satisfactory, in accordance with Policies DP1 and CP2 of the New Forest National Park Core Strategy and Development Management Policies DPD (December 2010).

- 7 No external lighting shall be installed on the site unless details of such proposals have been submitted to and approved in writing by the New Forest National Park Authority.

Reason: To protect the amenities of the area in accordance with Policies DP1 and CP6 of the New Forest National Park Core Strategy and Development Management Policies DPD (December 2010).

- 8 Prior to the commencement of development, ecological mitigation for the Solent and New Forest Special Protection Areas, Special Areas of Conservation and Ramsar sites shall be submitted to and approved in writing by the New Forest National Park Authority. The ecological mitigation may take the form of a planning obligation which secures financial contributions in accordance with the Authority's adopted Development Standards (SPD) and the Solent (SRMP) Explanatory Note.

Reason: To safeguard sites of international ecological importance in accordance with Policies CP1 and CP2 of the adopted New Forest National Park Core Strategy and Development Management Policies DPD, Development Standards SPD and the SRMP.

- 9 Prior to the commencement of development, measures for ecological enhancement (including appropriate provision for breeding swifts and timescales for implementing these measures) shall be submitted to and approved in writing by the National Park Authority. The measures thereby approved shall be implemented and retained at the site in perpetuity.

Reason: To safeguard protected species in accordance with Policies DP1 and CP2 of the New Forest National Park Core Strategy and Development Management Policies DPD (December 2010).

- 10 The development hereby permitted shall not be occupied until the arrangements for parking and turning within its curtilage have been implemented.

These areas shall be kept available for their intended purposes at all times.

Reason: To ensure adequate parking provision is made in the interest of highway safety and to comply with Policies DP1 of the New Forest National Park Core Strategy and Development Management Policies DPD (December 2010) and Section 4 of the National Planning Policy Framework.

- 11 A scheme for the parking of cycles shall be submitted to and approved in writing by the National Park Authority and completed prior to the development being first occupied.

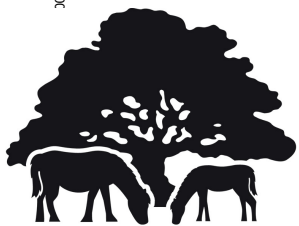
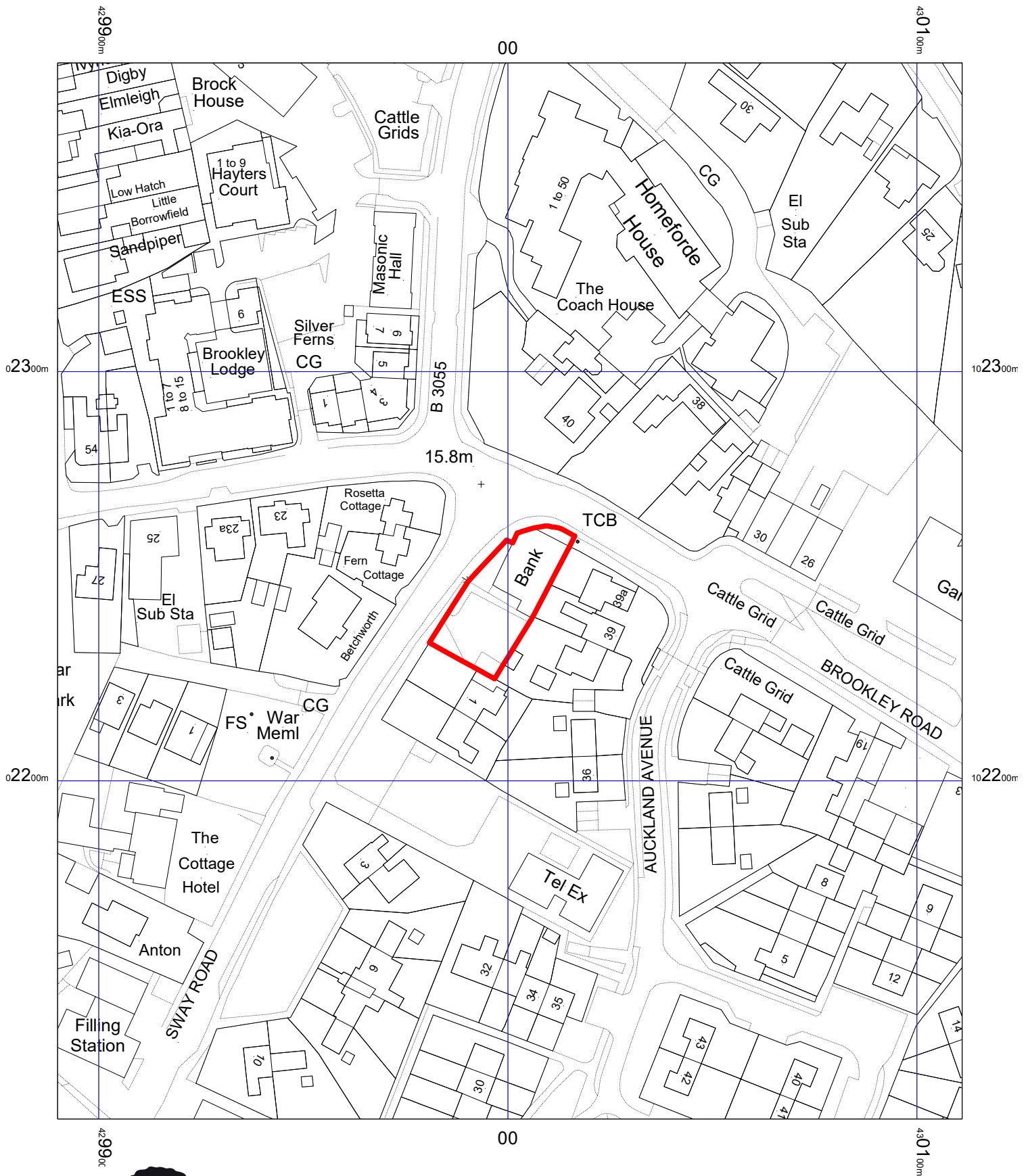
The spaces shall be retained and kept available for their intended purpose at all times.

Reason: To ensure adequate parking provision is made in the interests of highway safety and to comply with Policy DP1 of the New Forest National Park Core Strategy and Development Management Policies DPD (December 2010), section 4 of the National Planning Policy Framework and the Development Standards SPD.

- 12 No development, demolition or site clearance shall take place until the following information has been provided:  
Updated Arboricultural Method Statement in accordance with BS5837: 2012  
Updated Tree Protection Plan in accordance with BS5837: 2012  
are submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with these approved details.

Reason: To safeguard trees and natural features which are important to the visual amenities of the area and in accordance with Policies DP1 and CP2 of the New Forest National Park Core Strategy and Development Management Policies DPD (December 2010).





NEW FOREST  
NATIONAL PARK

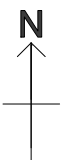
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Date: 06/02/2019

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