

Application No: 22/00511/FULL Full Application

Site: The Post House, Pilley Street, Pilley, Lymington, SO41 5QP

Proposal: Change of use from shop to ancillary residential accommodation to The Post House; partial removal of frontage; alterations to doors and windows

Applicant: Mr Baker

Case Officer: Carly Cochrane

Parish: BOLDRE

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view

2. DEVELOPMENT PLAN DESIGNATION

Conservation Area
Site of Special Scientific Interest

3. PRINCIPAL DEVELOPMENT PLAN POLICIES

DP2 General development principles
DP18 Design principles
SP16 The historic and built environment
SP17 Local distinctiveness
SP39 Local community facilities

4. SUPPLEMENTARY PLANNING GUIDANCE

Design Guide SPD
Boldre Parish Design Statement

5. NATIONAL PLANNING POLICY FRAMEWORK

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

Boldre Parish Council: Recommend refusal, for the following reasons:

- It is felt this planning application is premature as the new village community shop is not yet viable and the agreed reinstatement of the play area equipment, that had to be moved to allow for the new build, has not been achieved to date.
- There is concern about the new windows which will overlook the neighbouring property, 1 Pilley Green, and the proposed disabled access opening onto the neighbour's drive which would compromise safety.
- This drive is accessed over crown land for which there is an agreed easement, the rights belonging to the neighbour, 1 Pilley Green.
- The proposed altered living accommodation appears to divide the property into two dwellings.

8. CONSULTEES

No consultations required

9. REPRESENTATIONS

9.1 Six letters of representation have been received, in objection to the application. The material planning considerations raised are summarised as follows:

- Concern with regard to overlooking and loss of privacy to the neighbouring property of 1 Pilley Green as a result of the proposed new windows
- The proposed new door opens directly onto the open forest; there is already sufficient access into the property
- Concerns with regard to creation of an additional dwelling or commercial use
- There is already an access into the property
- Concern with regard to fire risk
- The converted telephone box adjacent to the proposed new door is a community asset which could become compromised

10. RELEVANT HISTORY

10.1 Replacement shop front and fascia (16/00274) granted on 26 May 2016

10.2 Alterations to shop front (NFR/14181/3) granted on 28 September 1971

10.3 Of relevance at: Boldre War Memorial Hall, Pilley Street, Pilley, Lymington, SO41 5QG:

Single storey extension to facilitate community shop and post

office; 7no. additional parking spaces; relocation of playground; associated landscaping (21/00037) granted on 14 April 2021

11. ASSESSMENT

- 11.1 The application site is located to the southern side of Pilley Street and part of its rear boundary adjoins Lucky Lane. Both the front and rear boundaries adjoin the New Forest SSSI. The front section of the property comprises the former Pilley Stores and Post Office, and the shop front marks the northern site boundary. The remainder of the property is a residential dwelling. The property in its entirety has been identified as a non-designated heritage asset within the conservation area.
- 11.2 This application seeks permission for the change of use of the shop to residential accommodation, forming part of the same planning unit as the existing dwelling, with the removal of the shop front and alterations to and additional windows and doors.
- 11.3 By way of background, permission was granted in 2021 (21/00037) for an extension to Boldre War Memorial Hall in order to accommodate the shop and Post Office, as the lease on the shop at the location of 'The Post House' was not being renewed beyond October 2022. Policy SP39 of the Local Plan recognises that community facilities and key services that are essential in sustaining local villages are often under threat, and therefore it is important that policy supports their retention and improvement. A need for a replacement facility was therefore identified, and the application also provided the opportunity to secure such a facility, whilst providing some site enhancements such as the new children's play area and highway safety measures. The replacement provision adjoining the War Memorial Hall opened for business on 02 August 2022 and as such, the use of The Post House as a community facility has ceased.
- 11.4 Policy SP39 also sets out that any proposals for the change of use of local community facilities will only be considered where robust evidence is provided to demonstrate there is no longer a need for a specific service or facility in the longer term, a suitable replacement service or facility is provided, or there is an existing similar facility accessible to the local community. In this instance, there is now an existing similar facility accessible to and serving the same the local community.
- 11.5 The use of the former shop for residential purposes would not be considered new residential development under Policy DP19 on the basis that it would remain as one planning unit, and there would be no subdivision occurring. Concern has been raised by the Parish Council and within the letters of representation that the floor plan appears to create an additional dwelling, particularly as a result of the additional staircase and door upon the side (eastern) elevation. The need for the additional staircase (which in

itself does not require planning permission) is to enable access for the applicant, who was residing in the 'annex' to the rear of the property as it is at ground level; the applicant uses a wheel chair and mobility scooter, and the original staircase and hallway at the front of the property is too narrow to allow the applicant to use it. Similarly the need for the door upon the side elevation is to provide level access into the property; no new ramp would be required. The existing access is across a ditch with small ramp/bridge, and there is insufficient space to allow the applicant to safely use this entrance. The proposed new side door requires no ramp, and internally there would be sufficient circulation space to allow the applicant to use the new staircase.

- 11.6 In floor space terms, in this instance, the area used as the shop was originally residential, and the proposal would not enlarge the residential use through any physical extension to the building; the floorspace already exists, and it would not be reasonable to require that demolition of existing parts takes place in order to bring the floorspace within the 30% limitation, as this would require the demolition of part of a non-designated heritage asset, the loss of which would be more harmful than the use of part of the building for the purpose it was originally constructed for. It is however, considered reasonable to remove permitted development rights to ensure that the resultant dwelling is not further enlarged.
- 11.7 The proposal would include some demolition of the front-most part of the former shop, which comprises a flat roof. This is a late 20th Century addition, and whilst this was constructed using complimentary materials and the replacement of the original shop front in 2016 resulted in the loss of some decorative features, the proposal is not considered to result in any harm to the non-designated heritage asset. The proposal would remove the incongruous expanse of glazing from the front elevation, and fenestration of a matching scale and design to that existing would be inserted. The resultant appearance would compliment that of the existing dwelling, and would not result in any adverse impact upon the character and appearance of the conservation area.
- 11.8 The Parish Council have recommended refusal of the application as there is concern with regard to overlooking and the location of the proposed new side door which provides access directly onto the open forest. Again, these concerns are echoed within the letters of representation. Amended plans have been submitted which show the two windows and door within the side elevation being obscure glazed. The agent has also agreed to a condition requiring these windows to be fixed shut and therefore non-opening. These windows would face onto the driveway area of the neighbouring property of 1 Pilley Green; it is noted that there are two first floor windows upon this side elevation of The Post House which already provide opportunity for overlooking. It is considered reasonable to impose the aforementioned condition,

and overall, it is not considered that the proposal would result in any adverse impact upon neighbouring amenity. In relation to the location of the door, this would open inwards, as this is a pedestrian door only and no license from Forestry England is required.

- 11.9 It is therefore recommended that permission be granted, as the proposal is in accordance with Policies DP2, DP18, SP16, SP17 and SP39 of the adopted Local Plan 2016-2036.

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: 100 Rev A, 101, 104 Rev A, 105 Rev B, 106, 107, 108 Rev A, 109 Rev B. 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 SP16, SP17, DP18 and DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).
- 3 The external facing materials to be used in the development shall match those used on the existing building, unless otherwise agreed in writing by the New Forest National Park Authority.

Reason: To ensure an acceptable appearance of the building in accordance with Policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).
- 4 The new windows within the side (eastern) elevation shall at all times be obscurely glazed and non-opening.

Reason: To safeguard the privacy of the adjoining neighbouring properties in accordance with Policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).
- 5 No windows other than those hereby granted shall be inserted into the side (eastern) elevation of the dwelling.

Reason: To safeguard the privacy of the adjoining neighbouring properties in accordance with Policy DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) England Order 2015 (or any re-enactment of that Order) no extension (or alterations) otherwise approved by Classes A, B or C of Part 1 of Schedule 2 to the Order shall be erected or carried out without express planning permission first having been granted.

Reason: To ensure the dwelling remains of a size which is appropriate to its location within the countryside and to comply with Policies DP35 and DP36 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 7 All materials, machinery and any resultant waste materials or spoil shall be stored within the red line application site unless otherwise agreed in writing by the local planning authority.

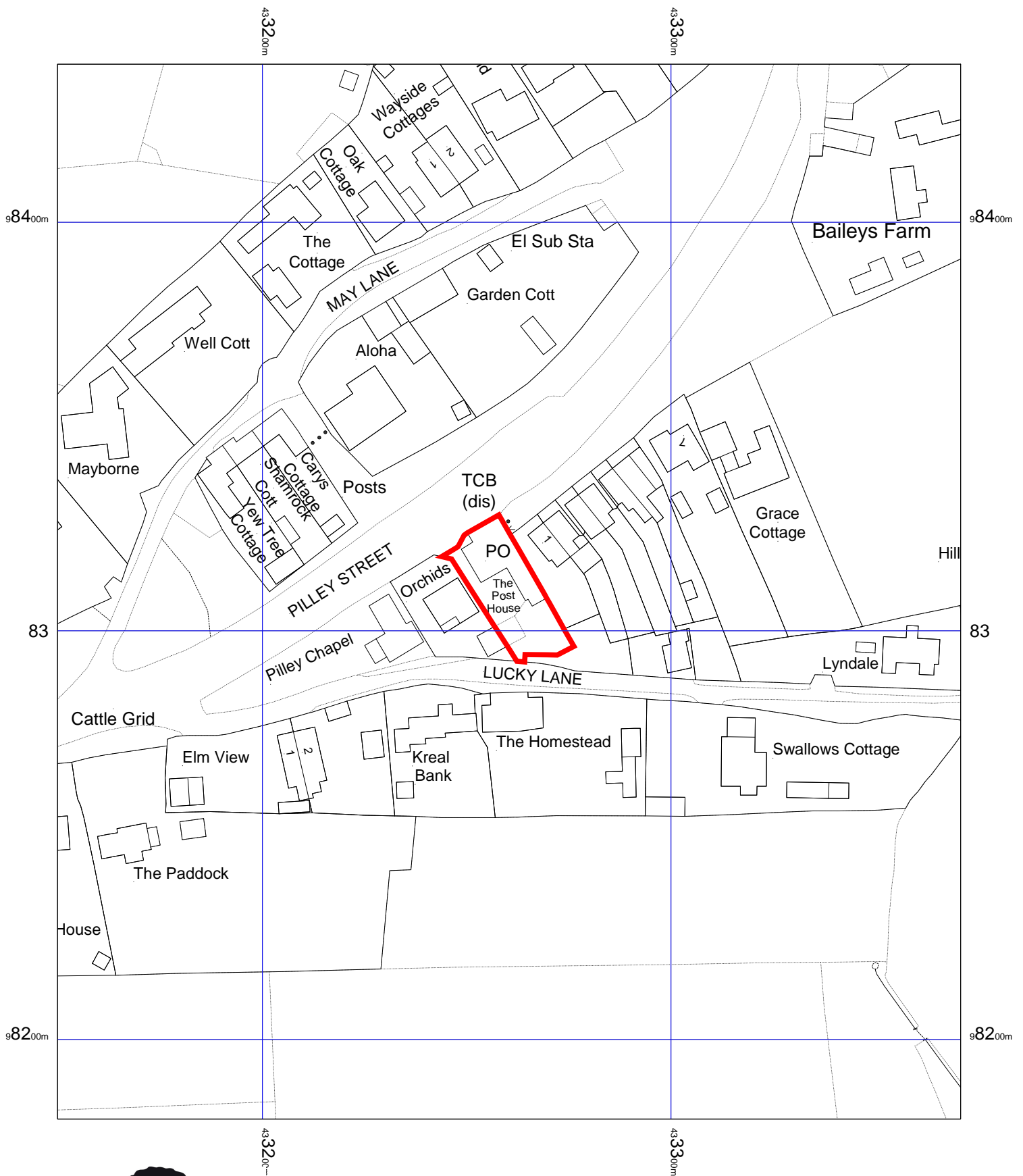
Reason: In the interests of protecting the New Forest Site of Special Scientific Interest in accordance with Policy SP6 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

- 8 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 DP2 and SP15 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

Informative(s):

- 1 For the avoidance of doubt, the proposal is not considered to facilitate the creation of a new dwelling, or result in the subdivision of that existing. The property is considered to fall within the same planning unit as one residential dwelling. Should the dwelling become subdivided internally in the future and a net new dwelling be created, planning permission would be required.



NEW FOREST
NATIONAL PARK

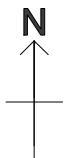
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