

Application Number: 23/10820 Full Planning Permission
Site: THE LODGE, MUSHROOM FARM, ROCKBOURNE SP6 3NS
Development: Erection of a replacement dwelling; hard and soft landscaping
Applicant: Mr & Mrs Gater
Agent: Atlas Planning Group
Target Date: 21/09/2023
Case Officer: Vivienne Baxter
Officer Recommendation: Grant Subject to Conditions
Reason for Referral to Committee: Contrary Parish Council view

1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Principle of the development
- 2) Impact on the character and appearance of the area including AONB
- 3) Impact on the residential amenities of the area

2 SITE DESCRIPTION

The site lies to the north eastern edge of Rockbourne accessed off a public right of way. It currently contains a detached building which has a lawful use as a dwelling. Also sharing the same access off the footpath is a commercial building and a further dwelling known as The Mushroom Farm. Between the two dwellings is a well kept garden, bound by a wall or close boarded fencing, for the existing lawful dwelling although this area is omitted from the site area.

There is a further public right of way running along the north eastern boundary between the site and adjacent dwellings fronting the road through Rockbourne.

An area of the site which not presently incorporated into the garden area for the property is currently a concrete area with open storage including gravel and timber planks.

3 PROPOSED DEVELOPMENT

The proposal is for the replacement of the lawful dwelling with a single storey property comprising bedroom with ensuite bathroom, utility/WC and open plan kitchen, dining area and living room. The living part of the proposed dwelling would be on the footprint of part the existing dwelling with the rest of it over land currently used as open storage

4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status	Appeal Description
20/10664 The office located at 'The Mushroom Farm' has been in continuous use as a separate independent dwelling house for more than 4 years, and is therefore considered lawful (Lawful Use Certificate for retaining an existing use or operation)	09/09/2020	Was Not Lawful	Appeal Decided	Appeal Allowed
11/97852 House; carport; garage/gym; use of land as extension to residential curtilage; demolition of existing bungalow	30/12/2011	Granted Subject to Conditions	Decided	
11/97854 2 barns; demolition of 10 existing	21/12/2011	Granted Subject to Conditions	Decided	
10/96166 House; carport; garage/gym; use of land as extension to residential curtilage; demolition of existing bungalow & 2 barns	13/01/2011	Refused	Decided	
04/81600 Use of agricultural workers dwelling without compliance of Condition 5 of Planning Permission 2572	09/08/2004	Granted	Decided	

5 PLANNING POLICY AND GUIDANCE

Local Plan 2016-2036 Part 1: Planning Strategy

Policy ENV3: Design quality and local distinctiveness
Policy STR2: Protection of the countryside, Cranborne Chase Area of Outstanding Natural Beauty and the adjoining New Forest National Park
Policy IMPL2: Development standards

Local Plan Part 2: Sites and Development Management 2014

DM20: Residential development in the countryside

Supplementary Planning Guidance And Documents

SPD - Design of Waste Management Facilities in New Development
SPD - Parking Standards
SPD - Air Quality in New Development. Adopted June 2022

Neighbourhood Plan

None

National Policy

NPPF 2023
NPPG

Plan Policy Designations

Countryside

6 PARISH / TOWN COUNCIL COMMENTS

No comments received

7 COUNCILLOR COMMENTS

No comments received

8 CONSULTEE COMMENTS

Comments have been received from the following consultees:

HCC Rights of Way: No objection subject to condition

Ecologist: Comment Only

9 REPRESENTATIONS RECEIVED

The following is a summary of the representations received.

- excessive height for a single storey property - appears to be designed as a two storey building
- loss of view
- change to siting is unreasonable
- light pollution in the winter

For: 0

Against: 2

10 PLANNING ASSESSMENT

Principle of Development

Although the site lies within the countryside where new residential development is restricted (Local Plan Part 2 Policy DM20), in accordance with this policy proposals to replace an existing property are acceptable in principle where they are not the result of a temporary permission, an unauthorised use or if it has been abandoned. Reference is made to an existing dwelling in footnote 1 of the policy where an existing dwelling is defined as "*the dwelling as it existed in July 1982, or as a dwelling as originally built or legally established*". In this respect, the use of the property as a dwelling is not temporary, the dwelling is still occupied and its use as a dwelling house was legally established in 2020 as a result of an appeal against the refusal of a lawful development certificate being allowed. The principle of its replacement is therefore acceptable in accordance with this.

Replacement dwellings should not normally provide for an increase in floor space in excess of 30%. In this case, the existing floor space amounts to approximately 76m² meaning the proposed floor space should not exceed 98.8m². The proposed floor space would be 96.4m² (26.8%) and so it would not exceed this limitation. However, to ensure that the size of the dwelling in the countryside is controlled in future it is considered appropriate to restrict the provision of additional floor space being created in the proposed built form or through permitted development additions in order to ensure this is not significantly exceeded.

Design, site layout and impact on local character and appearance of area

The proposed siting of the dwelling would be changed from currently a linear building running SW to NE across the site, parallel to the access track/public right of way to a squarer building which would cover the NE section of the existing building. However, it would project to the north west which is currently largely open except for a 2m high close boarded fence. Concern has been expressed locally about the change to the siting. In visual terms, the relocation of the building would result in a larger gap between the dwelling and adjacent commercial building which does not raise any concerns. The proposed dwelling would remain on the same north eastern building line, 2m from the public right of way which runs between the Mushroom Farm and houses fronting the road through Rockbourne.

The design of the building is more domestic in appearance than the existing structure but it is of a relatively modest simple design with gables reflecting other buildings within the Mushroom Farm site. Timber cladding is indicated as one of the proposed materials with brick and flint also noted within the application documentation. All of these materials are found locally and are acceptable within this context.

It is noted that the proposed dwelling is higher than the existing structure which is between 4m and 4.6m high. The ridge of the proposal would be 6.6m high although the eaves level would be maintained at a single storey height. The pitch of the roof is more traditional than the existing dwelling and would be able to accommodate clay tiles which are found on many buildings in the area. It is noted that the commercial building to the other side of the Mushroom Farm site access drive is also higher than the existing dwelling and the proposal would be seen as an appropriate addition to the countryside location in this respect.

At present when viewed from the access track/public right of way, a 2m high close boarded fence with dual height dwelling roof visible behind this, with a total length of around 21m. The proposal would reduce the length of the current built form when viewed from this direction to around 12m and increase the gap between two buildings from 5m to 12m. This is considered to enhance the location and views towards the site and its appearance within the street scene.

Having regard to the AONB, slight amendments to the proposal were made to reduce the number and size of high level windows, including roof lights which were initially put forward. In addition to this, a brise soleil is proposed across the elevations where full height glazed doors are proposed to minimise the impact of these openings on the Dark Sky Reserve.

Overall, the more spacious appearance of the site due to the re-siting of the proposed new dwelling coupled with its more traditional design are considered to represent an improvement to the area in visual terms and would be acceptable within this location.

Residential amenity

Concerns have been expressed locally about the impact of the proposed dwelling on residential amenity in terms of the view currently afforded by neighbouring properties. Having regard to this, it is noted that there is a row of mature trees between the site and nearest residential properties meaning that intervisibility between the two is limited, particularly in the summer months. Although the proposed dwelling would be close to its north eastern boundary with the public footpath, it would be approximately 37m from the nearest dwelling, Townend Gate

which also has a large garage structure between it and the closest part of the proposal. The distances are such that the size and siting of the proposed dwelling would not be harmful in an overbearing way to residential amenity.

The proposal includes a single ground floor window in the north eastern elevation facing towards these properties and the roof light and high level lounge window both face towards the host dwelling in excess of 30m away. The dormer style high level window faces towards the commercial building and as such, the proposal would not have any implications relating to a loss of privacy.

Removal of the permitted development rights would retain control of amenity impacts as well as limiting light emissions in the AONB

Highways and parking

The proposal does not involve any changes to the access provisions for the dwelling and the site includes adequate parking space for a 1-bed property. In order to comply with IMPL2, a condition is included in the recommendation to ensure future occupiers can install an electric vehicle charging point where required.

Ecology

The application is supported by a Phase 2 Bat Survey and Mitigation Report which identifies a day roost for low numbers of common pipistrelle. The proposed mitigation strategy demonstrates that the developer would be able to maintain a favourable conservation status for this bat were works to go ahead and subject to the imposition of a condition requiring compliance with this, there are no objections to the proposal. The report also includes ecological enhancement measures which can be secured for provision and retention by a condition.

Air Quality

In response to the requirements of the recently adopted 'Air Quality Assessments in New Development Supplementary Planning Document 2022, the applicant has provided information explaining the measures that they will take to reduce the potential adverse impact new development can have upon air quality, thereby lessening the negative effects upon health and wellbeing. These will be no solid fuel appliances, an electric car charging point and the provision of cycle storage.

Type	Proposed Floor space (sq/m)	Existing Floor space (sq/m)	Net Floor space (sq/m)	Chargeable Floor space (sq/m)	Rate	Total
Dwelling houses	100	76	24	24	£80/sqm	£2,621.54 *

Subtotal:	£2,621.54
Relief:	£0.00
Total Payable:	£2,621.54

11 OTHER MATTERS

As a replacement dwelling, Habitat and Phosphate Mitigation are not required.

12 CONCLUSION / PLANNING BALANCE

The proposal would allow for the replacement of a 1-bed dwelling with another 1-bed dwelling without exceeding the size limit identified within policy DM20 or resulting in any adverse impact on the residential amenities or character and appearance of this sensitive area within an AONB. Planning permission is therefore recommended subject to conditions.

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:

Planning Statement
Location plan rev.A
Block plan rev.B
1234/01 - existing plans and elevations
1436/01 E - proposed plans and elevations
Bat survey and mitigation report

Reason: To ensure satisfactory provision of the development.

3. Before development commences, the proposed slab levels in relationship to the existing ground levels set to an agreed datum shall be submitted to and approved in writing by the Local Planning Authority. Development shall only take place in accordance with those details which have been approved.

Reason: To ensure that the development takes place in an appropriate way in accordance with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

4. Before development commences, samples or exact details of the facing and roofing materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved details.

Reason: To ensure an acceptable appearance of the building in accordance with Policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

5. Any works that impact on the bat roost (day roost for common pipistrelle) identified in the Phase 2 Bat Survey and Mitigation Report undertaken by Ecosupport, dated 19th July 2023, shall not in any circumstances commence unless the local planning authority has been provided with either:
- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorizing the specified activity/development to go ahead; or
 - b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence; or
 - c) Natural England's decision on whether to accept the registration of the site under a Registered Consultants Bat Mitigation Class Licence (BMCL).

Reason: To safeguard protected species in accordance with Policies ENV3, ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and Policies DM1, DM2 and DW-E12 of the Local Plan for the New Forest District outside the National Park (Part 2: Sites and Development Management).

6. Prior to the occupation of the dwelling hereby permitted, a scheme of landscaping of the site shall be submitted for approval in writing by the Local Planning Authority. This scheme shall include :
- a) the existing trees and shrubs which have been agreed to be retained;
 - b) a specification for new planting (species, size, spacing and location);
 - c) areas for hard surfacing and the materials to be used;
 - d) other means of enclosure;
 - e) a method and programme for its implementation and the means to provide for its future maintenance.

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

Reason: To ensure that the development takes place in an appropriate way and to comply with Policies ENV3 and ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

7. Before first occupation of the dwelling hereby approved, a scheme for the provision of infrastructure and facilities to enable the installation of charging points for electric vehicles to serve the new dwelling shall be submitted to the Local Planning Authority for its written approval. Thereafter, the development shall be implemented in full accordance with the approved details and thereafter retained.

Reason: In the interests of sustainability and to ensure that provision is made for electrical charging points in accordance with Policy IMPL2 of the Local Plan Part 1 Planning Strategy for the New Forest (outside of the National Park).

8. No other windows other than those hereby approved shall be inserted into the building unless express planning permission has first been granted.
- Reason: To safeguard the privacy of the adjoining neighbouring properties and Dark Sky Reserve in accordance with Policies ENV3 and STR2 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.
9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) 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, garage or other outbuilding otherwise approved by Class E of Part 1 of Schedule 2 to the Order, or means of enclosure otherwise approved by Class A of Part 2 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 Policy DM20 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).
10. The roof voids / spaces of the approved dwelling shall not be used for or converted to habitable accommodation and at no time shall access to them be facilitated by way of a staircase or other permanent arrangement.
- Reason: The creation of additional habitable accommodation / floor space would be contrary to Policy DM20 of the Local Plan for the New Forest District outside the National Park. (Part 2: Sites and Development Management).
11. The works hereby approved shall be undertaken in strict accordance with the Phase II Bat Survey and Mitigation Strategy Ecological Survey methodology and details (Ref EcoSupport dated 19th July 2023) unless otherwise first agreed in writing with the Local Planning Authority. The ecological enhancement measures identified in Section 5 of this report shall be provided prior to first occupation of the dwelling hereby approved and thereafter retained in perpetuity.
- Reason: To safeguard protected species in accordance with Policies ENV3, ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside the National Park and Policies DM1, DM2 and DW-E12 of the Local Plan for the New Forest District outside the National Park (Part 2: Sites and Development Management).

Further Information:

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NFDC

Townend Gate



New Forest
DISTRICT COUNCIL

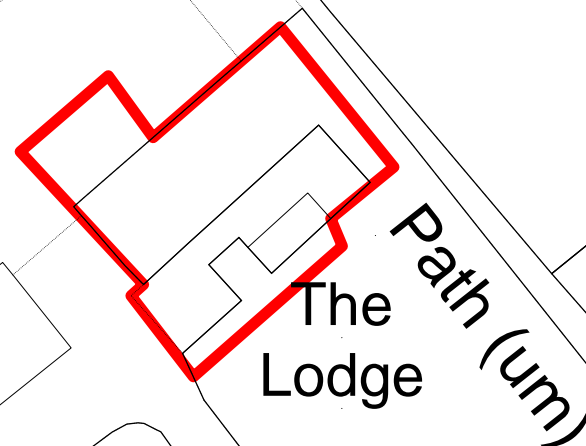
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**PLANNING
COMMITTEE**

October 2023

The Lodge
Mushroom Farm
Rockbourne
23/10820



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Scale 1:500

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