

Application Number: 15/11358 Full Planning Permission

Site: CHURCH VIEW, MILL END, DAMERHAM SP6 3HU

Development: Two-storey dwelling; demolition of existing

Applicant: Mr & Mrs Ruth

Target Date: 11/11/2015

1 REASON FOR COMMITTEE CONSIDERATION

Contrary to Policy

2 DEVELOPMENT PLAN AND OTHER CONSTRAINTS

Area of Outstanding Natural Beauty
Damerham Conservation Area

3 DEVELOPMENT PLAN, OBJECTIVES AND POLICIES

Core Strategy

CS1: Sustainable development principles
CS2: Design quality
CS3: Protecting and enhancing our special environment (Heritage and Nature Conservation)
CS10: The spatial strategy

Local Plan Part 2 Sites and Development Management Development Plan Document

DM1: Protection of Heritage Assets
DM2: Nature conservation, biodiversity and geodiversity
DM20: Residential development in the countryside

National Planning Policy Framework

NPPF Ch. 3: Supporting a prosperous rural economy
NPPF Ch. 7: Requiring good design
NPPF Ch. 12: Conserving and enhancing the historic environment

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

SPG: Residential Design Guide for Rural Areas
Conservatory Design Guide

6 RELEVANT PLANNING HISTORY

6.1 XX/RFR/07559 – Addition of living room and kitchen – granted June 1961

6.2 XX/RFR/07388 – Alteration and addition – refused April 1961

7 PARISH / TOWN COUNCIL COMMENTS

DAMERHAM PARISH COUNCIL - recommend permission with the following comments:

- 1) The increased height of the proposed new building is not an issue as the building will be set further back from the road than the existing one.
- 2) The plans show a conservatory to be built at the same time as the house, which is good as this will cause less disruption for neighbours than a later addition.
- 3) It is essential that the asbestos in the current dwelling is safely removed.

8 COUNCILLOR COMMENTS

Cllr E.S. Heron - supports the amended plans.

9 CONSULTEE COMMENTS

9.1 Environmental Design (Conservation) -The plans submitted are in line with the sketches and advice provided to the applicants by the Conservation and Planning Team. The materials and proportions used have been rationalised and the rear elevation is now more traditional in form and scale. The conservatory is an acceptable addition and will have little impact on the conservation area. The roof lantern would benefit from being reduced a little in height but this is only a minor concern. The design improvements made to the proposal allow a balance to be made against the loss of the existing building. The positive design approach will ensure that a more sympathetic and contextual replacement dwelling is now proposed. Concerns still remain as to the level of drawing detail provided and this is critical to ensuring that the high quality design aspirations set out in the scheme are implemented on site. This can be overcome with the application of conditions to address joinery details, external materials, fenestration detailing, chimney details and porch details.

9.2 Ecologist - No objection subject to condition to secure details of appropriate mitigation/enhancement measures based on those recommended in the Kingfisher Ecology Report dated August 2015, as the impacts of the development can be limited through management of development operations and footprint, enhancement measures could include simple landscape measures or provision of bird nesting opportunities (e.g. house sparrow terrace) or bat roosting features. It would also be desirable to ensure appropriate controls of external lighting.

10 REPRESENTATIONS RECEIVED

10.1 Four letters have been received in support of the form of development proposed.

11 CRIME & DISORDER IMPLICATIONS

None

12 LOCAL FINANCE CONSIDERATIONS

From the 6 April 2015 New Forest District Council began charging the Community Infrastructure Levy (CIL) on new residential developments.

Based on the information provided at the time of this report this development has a CIL liability of £3,161.60.

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.

In this case and following negotiation with the applicant, the Council accepted that demolition of the existing dwelling would be acceptable within the Damerham Conservation Area and Area of Outstanding Natural Beauty (AONB), bearing in mind the quality and appearance of the proposed replacement structure (as amended).

14 ASSESSMENT

- 14.1 Church View is a modest single-storey cottage dating to the early C20. The building has a simple but pleasing architectural character, and contains a number of original features including a period front door, flush timber casement windows, chimneys and slate roof. There is an existing outbuilding which is a relatively large structure, sited to the rear of the dwelling along the north side boundary, clad in corrugated metal and quite overgrown. The site is within the Damerham Conservation Area and is outside the built-up area, within countryside designated as an Area of Outstanding Natural Beauty (AONB).
- 14.2 This application proposes replacement of the bungalow with a dormer bungalow on a similar footprint, but larger than the existing structure. The design of the proposal has been modified during the determination process. The replacement dwelling would be finished in render and timber cladding over a brick plinth, oak framework, clay tiles, timber windows and a standing seam metal roof to the conservatory at the rear.
- 14.3 The existing bungalow is of some visual merit, which makes a positive contribution to the character and appearance of Damerham Conservation Area and a proposal for its demolition and replacement needs to be carefully considered, in the context of the following policies.
- 14.4 Policy DM20 of the Local Plan Part 2 is pertinent to consideration of the proposal. It specifies that residential development in the countryside will only be permitted where it does not increase the floorspace of the existing dwelling by more than 30%. The purpose of this policy is to protect the supply of smaller dwellings in rural locations such as Damerham. The existing dwelling's floorspace is 72.28 sq.m. and the floorspace of its replacement would be in the region of 98 sq.m, plus a 13.5 sq.m conservatory to the rear. The floor area of the main dwelling would be slightly over the 30% threshold applied by Policy DM20 (which would allow 94 sq.m), but in view of the design, materials and appearance of the replacement structure, this is considered to be within an acceptable tolerance. The conservatory to the rear would be 2.6m high, constructed of brick, oak framing and a standing seam metal roof with a roof lantern. It would add a further 13.5 sq.m to the 98 sq.m floor area and be glazed on two sides. The Conservatory Design Guide suggests that in rural locations, there may be some flexibility in considering conservatory proposals which do not exceed 20sq.m floor area, providing no harmful impact would result in terms of Policy DM20. The design and materials of the conservatory have been amended during the course of determination to more appropriately reflect the character of its Conservation Area/AONB location. The scale and quality of the amended conservatory design, subject to detailing, would be more appropriate than the design of a typical conservatory and complements the character of the location. Accordingly, while the proposal is not strictly in accordance with Policy DM20, officers consider that it would take up only a very modest proportion of its total curtilage and would not have an adverse impact on the character of the area, subject to the imposition of a condition to remove permitted development rights for further extensions. The scale and appearance of the amended scheme are acceptable and comply with the design related provisions of Policies CS2 and CS3.

- 14.5 The proposed works would not have any significant impact on the residential amenity of the occupiers of neighbouring properties due to the location of the dwelling and its relationship with the nearest residential dwelling to the north. The proposed development would offer an acceptable level of amenity to future occupiers of Church View, the site benefiting from a generous garden curtilage.
- 14.6 Due to the condition and historic nature of the existing dwelling and area, an ecology survey has been undertaken to ensure that no protected species would be harmed as a result of the development. The Ecologist has no objection to the proposal, subject to development being implemented in accordance with the recommendations outlined within the ecology survey.
- 14.7 As a replacement dwelling, the development proposed would not be subject to any contributions in respect of affordable housing or habitat mitigation. As a replacement dwelling involving demolition of the existing dwelling it appears that the scheme carries a CIL liability. If undertaken as a self-build dwelling, it is possible that the proposal may be exempt from its CIL liability, although the applicant will need to apply for exemption.
- 14.8 In conclusion, it is considered that the proposed amendments made to this proposal would be acceptable and result in a dwelling that would be in keeping with the character and appearance of the conservation area and AONB. Accordingly, it is recommended for approval.
- 14.9 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 there may be an interference with these rights and the rights of other third parties, such interference has to be balanced with the like rights of the applicant to develop the land in the way proposed. In this case it is considered that the protection of the rights and freedoms of the applicant outweigh any possible interference that may result to any third party.

CIL Summary Table

Description of Class	GIA New	GIA Existing	GIA Net Increase	CIL Liability
Dwelling houses	111.8	72.28	39.52	£3,161.60

15. 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: 1:1250 Location Plan, 1:500 Block Plan, MBNGF/2B and MBNGF/3

Reason: To ensure satisfactory provision of the development.

3. Prior to the commencement of development, elevation and section of all external joinery details including glazing bars and cill details shall be submitted to and agreed in writing by the Local Planning Authority. The development shall then take place in accordance with the approved details

Reason: To ensure an acceptable appearance of the building in accordance with Policies CS2 and CS3 of the Core Strategy for the New Forest District outside the National Park and Policy DM1 of the Local Plan Part 2 Sites and Development Management Development Plan Document.

4. Prior to the commencement of development, a sample of all external materials including brick, tiles, ridge tiles, weatherboard (including the colour) barge boarding and render to be used in the development shall be submitted to and approved by the Local Planning Authority. The development shall then be constructed in accordance with the approved details.

Reason: To ensure an acceptable appearance of the building in accordance with Policies CS2 and CS3 of the Core Strategy for the New Forest District outside the National Park and Policy DM1 of the Local Plan Part 2 Sites and Development Management Development Plan Document.

5. Prior to the commencement of development, large scale details of the window reveals and eaves and verge treatments shall be submitted to and approved by the Local Planning Authority. The development shall then be constructed in accordance with the approved details.

Reason: To ensure an acceptable appearance of the building in accordance with Policies CS2 and CS3 of the Core Strategy for the New Forest District outside the National Park and Policy DM1 of the Local Plan Part 2 Sites and Development Management Development Plan Document.

6. Prior to the commencement of development, large scale details of the chimney including the treatment of the flaunches and details of the chimney pot to be used shall be submitted to and approved by the Local Planning Authority. The development shall then be constructed in accordance with the approved details.

Reason: To ensure an acceptable appearance of the building in accordance with Policies CS2 and CS3 of the Core Strategy for the New Forest District outside the National Park and Policy DM1 of the Local Plan Part 2 Sites and Development Management Development Plan Document.

7. Prior to the commencement of development, details of the metal framed conservation roof light on the front elevation shall be submitted to and approved by the Local Planning Authority. The development shall then be constructed in accordance with the approved details.

Reason: To ensure an acceptable appearance of the building in accordance with Policies CS2 and CS3 of the Core Strategy for the New Forest District outside the National Park and Policy DM1 of the Local Plan Part 2 Sites and Development Management Development Plan Document.

8. Prior to the commencement of development, large scale porch elevations and sections showing the details of materials and construction, should be submitted to and approved by the Local Planning Authority. The development shall then be constructed in accordance with the approved details.

Reason: To ensure an acceptable appearance of the building in accordance with Policies CS2 and CS3 of the Core Strategy for the New Forest District outside the National Park and Policy DM1 of the Local Plan Part 2 Sites and Development Management Development Plan Document.

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 works hereby approved shall be undertaken in strict accordance with the Recommendations Section no. 5 outlined in the report prepared by Kingfisher Ecology dated August 2015 and submitted with the application hereby approved, unless otherwise first agreed in writing with the Local Planning Authority.

Reason: To safeguard protected species in accordance with Policy CS3 of the Local Plan for the New Forest District outside of the National Park (Core Strategy) and Policy DM2 of the Local Plan for the New Forest District outside the National Park (Part 2 : Sites and Development Management).

11. The dwelling shall not be first occupied until:
- (a) details of the treatment of the boundaries of the site identified on the 1:1250 Location Plan have been approved in writing by the Local Planning Authority, and
 - (b) these means of enclosure have been implemented in accordance with the details thus approved.

Reason: To ensure an acceptable appearance of the building in accordance with Policies CS2 and CS3 of the Core Strategy for the New Forest District outside the National Park and Policy DM1 of the Local Plan Part 2 Sites and Development Management Development Plan Document.

Notes for inclusion on certificate:

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.

In this case and following negotiation with the applicant, the Council accepted that demolition of the existing dwelling would be acceptable within the Damerham Conservation Area and AONB, bearing in mind the quality and appearance of the proposed replacement structure (as amended).

Further Information:

Major Team
Telephone: 023 8028 5345 (Option 1)



New Forest DISTRICT COUNCIL

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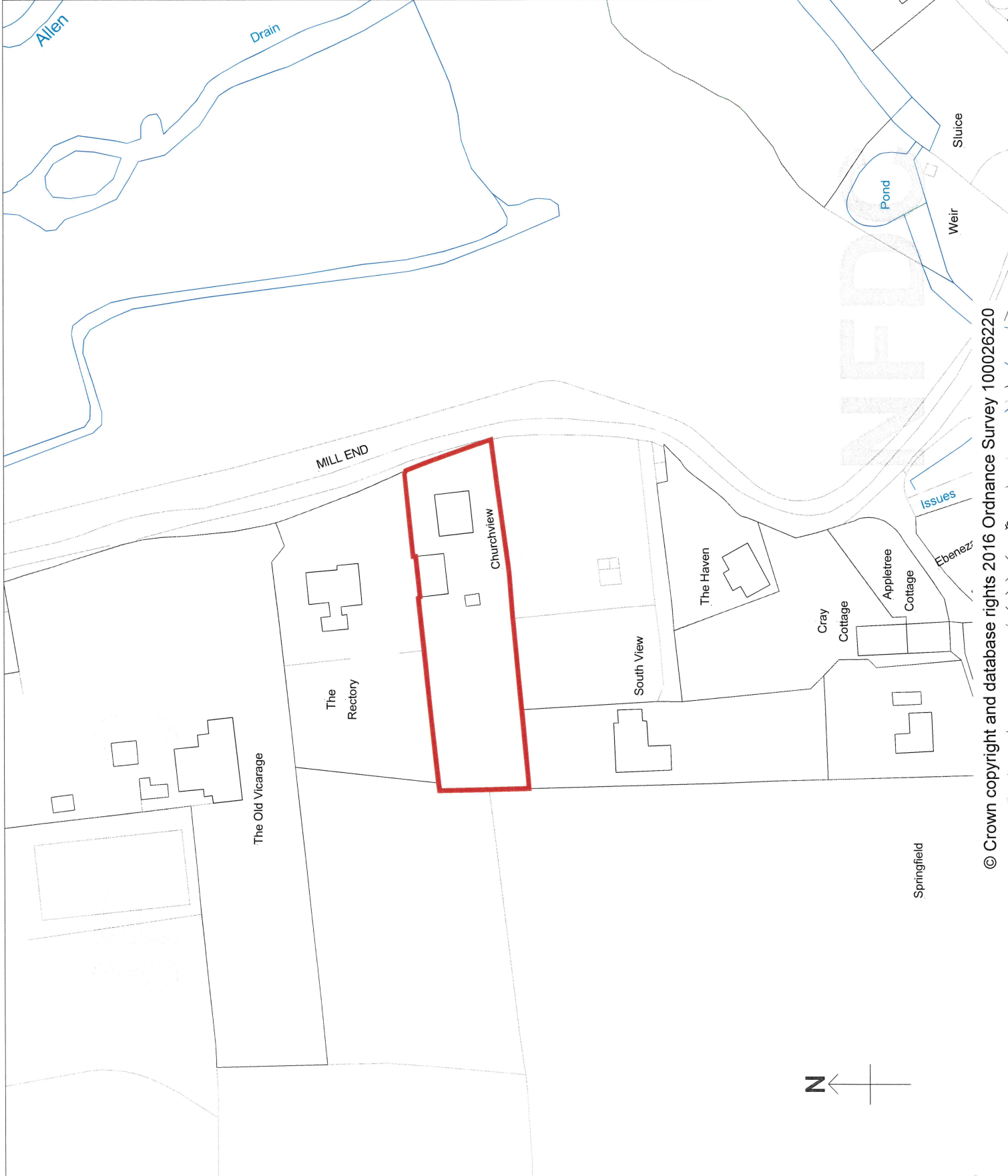
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**Planning Development
Control Committee
February 2016**

Item No: 3d
Church View
Mill End
Damerham
15/11358

Scale 1:1250

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



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